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TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 24—FORMAL EDUCATION REQUIREMENTS FOR APPOINTMENT TO CERTAIN SCIENTIFIC, TECHNICAL, AND PROFESSIONAL POSITIONS

MISCELLANEOUS AMENDMENTS

1. Section 24.15 is amended to read as follows:

§ 24.15 *Range conservationist, P-452-1*—(a) *Educational requirement.* Applicants must have successfully completed one of the following:

(1) A full 4-year course in an accredited college or university leading to a bachelor's degree with major study in agriculture, animal husbandry, botany, forestry, science, or range management which has included the following courses:

One course in each of the following: Elementary surveying, plant ecology, plant physiology, soils, systematic botany, or plant taxonomy; three courses in each of the following groups: Animal husbandry (any combination of animal nutrition and feeding, breeds and breeding, livestock management, livestock production, market classes of livestock), agronomy, general botany, silviculture, forest management, wildlife management, or zoology; four courses in range management (any combination of range management, range utilization and maintenance, range plants, range history and laws; range or ranch economics, range surveys).

A bachelor's degree from an accredited college or university will be accepted as meeting the educational requirements for this position, provided that the study has included (i) a minimum of 20 semester hours in range management or plant ecology, or in a combination of these two subjects; or (ii) a minimum of 10 semester hours in a combination of these two subjects plus 10 semester hours in any combination of animal husbandry, pasture management, botany, agronomy, or forestry or

(2) Courses as outlined in subparagraph (1) of this paragraph, in an accredited college or university, consisting of lectures, recitations, and laboratory

work, plus additional appropriate education or experience which, when combined with the courses outlined in subparagraph (1) of this paragraph, will total 4 years of education and experience and give the applicant a technical knowledge comparable to that which would have been acquired through successful completion of a 4-year college course.

(b) *Duties.* Range conservationists perform or assist in the following and related duties: making range surveys; assembling information on current range management practices; developing detailed range conservation and management plans; explaining management plans to farmers and ranchers; working with and assisting farmers and ranchers in establishing and maintaining range conservation and management practices; keeping records and making reports of work accomplished.

NOTE: The provisions of § 24.36 (d) and (e) are applicable to this section.

2. Section 24.36 (a) (27) and (28) is amended to read as follows:

§ 24.36 *Junior professional assistant*—(a) *Educational requirement.* . . .

(27) *Soil conservationist.* Soil conservationists advise on or perform technical or other professional and scientific work in the field of soil conservation, involving farm planning and soil or water conservation practices.

Applicants must have successfully completed one of the following:

(i) A full 4-year course in an accredited college or university leading to a bachelor's degree with a major in soil conservation or one of the related agricultural sciences;

(ii) Courses in soil conservation or one of the related agricultural sciences acceptable toward a degree, in an accredited college or university, consisting of lectures, recitations, or laboratory work totaling at least 40 semester hours, including at least one course in each of the following: Soils or soil conservation; woodland management, plant ecology, or economic biology; farm crops or pasture management; feeds and feeding or animal nutrition; farm or range management or agricultural economics; farm drainage or hydraulics, hydrology or plane surveying; plus additional appro-

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appropriate experience or education which, when combined with the 40 semester hours, will total 4 years of education or experience and give the applicant a technical knowledge comparable to that which would have been acquired by the successful completion of a 4-year college course.

Applicants for positions in range country must show at least one course in range management.

(28) *Soil scientist.* Soil scientists assist in research or other scientific or professional work in the field of soil science including making soil classification surveys, recommending soil management treatments and assuming major responsibility for elementary soil tests and analyses.

Applicants must have successfully completed one of the following:

(i) A full 4-year course in an accredited college or university leading to a bachelor's degree with a major in soils or closely related subjects (agronomy, physical geography, geology—not economic); or

(ii) Courses in soils or closely related subjects (agronomy, physical geography, geology—not economic), in an accredited college or university, consisting of lectures, recitations, and laboratory work totaling at least 20 semester hours; plus additional appropriate experience or education which, when combined with the 20 semester hours, will total 4 years of education and experience and give the applicant a technical knowledge comparable to that which would have been acquired through successful completion of a 4-year college course.

3. The following sections are added:

§ 24.69 *Agronomist (positions involving highly technical research design, or development, or similar complex scientific functions), P-408-2-7—(a) Educational requirement.* Applicants must have successfully completed a full four-year course in an accredited college or university leading to a bachelor's degree with major study in agronomy, crop production, plant breeding, genetics, or a closely related subject.

(b) *Duties.* Research agronomists perform the following duties, among others: Administer, supervise, perform, or advise on research in the application of fundamental principles of plant, soil, and related sciences to the problems of field crop improvement, conservation crop and turf establishment and management; propagation and seed production; ground maintenance; and plant adaptation and varietal testing.

(c) *Knowledge and training requisite for performance of duties.* The duties of this position cannot be successfully performed without a sound knowledge of the basic agricultural sciences and specific scientific training in this particular field of agricultural science. Appointees must have the ability to apply this theoretical knowledge to the interpretation of data gathered in this field of agricultural research. This knowledge and training can be gained only through a directed course of study in an accredited college or university with scientific libraries, well-equipped laboratories, and thoroughly trained instructors, where guidance is expertly given and progress is competently evaluated.

§ 24.70 *Biologist, fisheries (positions involving highly technical research, design, or development, or similar complex scientific functions), P-435-2-6—(a) Educational requirement.* Applicants must have successfully completed a full four-year course in an accredited college or university leading to a bachelor's degree with major study in biology, zoology, or fishery science.

(b) *Duties.* Research biologists (fisheries) make studies to resolve quantitatively the inter-relations between the abundance of fishes, variations in ecological elements, and fishing success; determine methods of rearing and planting best adapted for maximum success in hatchery operations; devise methods of regulating fishing to secure a sustained optimum yield; determine probable effects of the operation of river development projects on fisheries; and perform related duties.

(c) *Knowledge and training requisite for performance of duties.*

NOTE: The provisions of paragraph (c) of § 24.69 are applicable to this section.

§ 24.71 *Biologist, wildlife (positions involving highly technical research, design, or development, or similar complex scientific functions), P-499-2-6—(a) Educational requirement.* Applicants must have successfully completed a full four-year course in an accredited college or university leading to a bachelor's degree with major study in biology, zoology, or wildlife management.

(b) *Duties.* Research biologists (wildlife) make ecological studies of birds and mammals in their natural environment; conduct studies specifically directed toward the preparation of a management plan for a game species or for the wildlife of an area; conduct life history studies of birds and mammals; test or devise methods of controlling the populations of harmful birds and mammals; conduct bird and mammal disease investigations; conduct wild animal nutrition studies; formulate, conduct, or supervise a wildlife research program; study plans for construction and operation of water-development projects to determine probable effects on wildlife resources; and perform related duties.

(c) *Knowledge and training requisite for performance of duties.*

NOTE: The provisions of paragraph (c) of § 24.69 are applicable to this section.

§ 24.72 *Botanist (positions involving highly technical research, design, or development, or similar complex scientific functions), P-422-2-7—(a) Educational requirement.* Applicants must have successfully completed a full four-year course in an accredited college or university leading to a bachelor's degree with major study in botany or plant science.

(b) *Duties.* Research botanists plan and conduct research and investigations on the taxonomic position and nomenclatorial status of economic plants and their wild relatives; prepare revisions and monographs of plant groups; identify and describe plants and seeds; investigate plant distribution, habits of growth, and economic value; make histological and histochemical studies of agricultural materials; and perform related duties.

(c) *Knowledge and training requisite for performance of duties.*

NOTE: The provisions of paragraph (c) of § 24.69 are applicable to this section.

§ 24.73 *Cereal technologist (positions involving highly technical research, design, or development, or similar complex scientific functions), P-1390-2-7—(a) Educational requirement.* Applicants must have successfully completed a full four-year course in an accredited college or university leading to a bachelor's degree with major study in chemistry, physics, baking and milling technology, or a closely related subject.

(b) *Duties.* Research cereal technologists plan and conduct research and investigations primarily to determine the chemical, physical, biological, and other characteristics of wheat, barley, and other cereals which determine their

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value for making different products and to develop techniques for measuring these characteristics; and perform related duties.

(c) *Knowledge and training requisite for performance of duties.*

NOTE: The provisions of paragraph (c) of § 24.69 are applicable to this section.

§ 24.74 *Dairy husbandman (positions involving highly technical research, design, or development, or similar complex scientific functions), P-458-2-7—(a) Educational requirement.* Applicants must have successfully completed a full four-year course in an accredited college or university leading to a bachelor's degree with major study in dairy husbandry or animal husbandry.

(b) *Duties.* Research dairy husbandmen administer, supervise, perform, or advise on research studies and investigations in the breeding, nutrition, management, housing, growth, body form, physiology, and anatomy of dairy cattle; and perform related duties.

(c) *Knowledge and training requisite for performance of duties.*

NOTE: The provisions of paragraph (c) of § 24.69 are applicable to this section.

§ 24.75 *Dairy manufacturing technologist (positions involving highly technical research, design, or development, or similar complex scientific functions), P-428-2-7—(a) Educational requirement.* Applicants must have successfully completed a full four-year course in an accredited college or university leading to a bachelor's degree with major study in dairy manufacturing, dairy engineering, dairy chemistry, or dairy bacteriology.

(b) *Duties.* Research dairy manufacturing technologists administer, supervise, perform, or advise on research studies of dairy manufacturing processes involved in the processing of milk and its by-products to produce butter, cheese, concentrated milks, ice cream, market milk, process butter, and other related food and non-food products; and perform related duties.

(c) *Knowledge and training requisite for performance of duties.*

NOTE: The provisions of paragraph (c) of § 24.69 are applicable to this section.

§ 24.76 *Entomologist (positions involving highly technical research, design, or development, or similar complex scientific functions), P-430-2-7—(a) Educational requirement.* Applicants must have successfully completed a full four-year course in an accredited college or university leading to a bachelor's degree with major study in entomology or zoology combined with courses in entomology.

(b) *Duties.* Research entomologists plan and conduct investigations directed toward the development of control measures against insects affecting crops, stored products, man, or animals and the utilization of beneficial insects; develop cooperative research projects with interested Federal, State, and private agencies; prepare reports and publications on the results of research activities carried

on by them and their subordinates; and perform related duties.

(c) *Knowledge and training requisite for performance of duties.*

NOTE: The provisions of paragraph (c) of § 24.69 are applicable to this section.

§ 24.77 *Geneticist (positions involving highly technical research, design, or development, or similar complex scientific functions), P-448-2-7—(a) Educational requirement.* Applicants must have successfully completed a full four-year course in an accredited college or university leading to a bachelor's degree with major study in genetics, or in biological science including courses in genetics or cytogenetics.

(b) *Duties.* Research geneticists plan and conduct research and investigations in the testing and application of genetic principles in respect to plants, animals, and poultry to determine the mode of inheritance of genetic characters and develop improved selection procedures for the purpose of improving plants, animals, and poultry and the products derived from them; examine the interaction of genetic characters with one another and the environment; evaluate the possibilities of induced polyploidy for developing new forms or breeds of plants of economic value; make statistical analyses of experimental data and prepare manuscripts dealing with such research investigations; and perform related duties.

(c) *Knowledge and training requisite for performance of duties.*

NOTE: The provisions of paragraph (c) of § 24.69 are applicable to this section.

§ 24.78 *Horticulturist (positions involving highly technical research, design, or development, or similar complex scientific functions), P-456-2-7—(a) Educational requirement.* Applicants must have successfully completed a full four-year course in an accredited college or university with major study in horticulture, or horticulture combined with a closely related subject.

(b) *Duties.* Research horticulturists administer, supervise, perform, or advise on research in the breeding, testing (behavior), propagation, or culture of fruits, vegetables, flowers, or ornamental trees and shrubs and in allied problems of their production, storage, and handling; and perform related duties.

(c) *Knowledge and training requisite for performance of duties.*

NOTE: The provisions of paragraph (c) of § 24.69 are applicable to this section.

§ 24.79 *Meat technologist (positions involving highly technical research, design, or development, or similar complex scientific functions), P-463-2-7—(a) Educational requirement.* Applicants must have successfully completed a full four-year course in an accredited college or university leading to a bachelor's degree with major study in food technology or in bacteriology combined with courses in food technology.

(b) *Duties.* Research meat technologists conduct research on the effects which methods of curing and storing meats have on the quality and nutritive value of the products; and perform related duties.

(c) *Knowledge and training requisite for performance of duties.*

NOTE: The provisions of paragraph (c) of § 24.69 are applicable to this section.

§ 24.80 *Microanalyst, plant and animal fibers (positions involving highly technical research, design, or development, or similar complex scientific functions), P-464-2-1—(a) Educational requirement.* Applicants must have successfully completed a full four-year course in an accredited college or university leading to a bachelor's degree with major study in textile technology, physics, chemistry, biological science, or a closely related subject.

(b) *Duties.* Research microanalysts (plant and animal fibers) make routine microscopical tests of fibers, yarns, cords, and fabrics composed of cotton and competitive fibers to determine physical properties; study such changes as may be wrought in those properties by chemical and physical treatments in connection with experimental projects relating to cotton fiber research, and make related investigations; or perform research in the several fields of animal fiber technology and related investigations designed to develop techniques for measuring standards; and perform related duties.

(c) *Knowledge and training requisite for performance of duties.*

NOTE: The provisions of paragraph (c) of § 24.69 are applicable to this section.

§ 24.81 *Mycologist (positions involving highly technical research, design, or development, or similar complex scientific functions), P-468-2-7—(a) Educational requirement.* Applicants must have successfully completed a full four-year course in an accredited college or university leading to a bachelor's degree with major study in mycology, or botany combined with courses in mycology.

(b) *Duties.* Research mycologists plan and conduct research with and investigations of the fungi; prepare monographic studies of genera, families, etc.; work out life histories; make critical studies in the morphology, physiology, classification, biochemistry, genetics, and nomenclature of fungi; prepare technical reports on all phases of mycological activities; and perform related duties.

(c) *Knowledge and training requisite for performance of duties.*

NOTE: The provisions of paragraph (c) of § 24.69 are applicable to this section.

§ 24.82 *Parasitologist (positions involving highly technical research, design, or development, or similar complex scientific functions), P-412-2-7—(a) Educational requirement.* Applicants must have successfully completed a full four-year course in an accredited college or university leading to a bachelor's degree with major study in parasitology or a closely related subject.

(b) *Duties.* Research parasitologists conduct research on the occurrence, identification, life histories, immunology, and control measures (biological and chemotherapeutic) of parasites; and perform related duties.

(c) *Knowledge and training requisite for performance of duties.*

NOTE: The provisions of paragraph (c) of § 24.69 are applicable to this section.

§ 24.83 *Plant pathologist (positions involving highly technical research, design, or development, or similar complex scientific functions), P-484-2-7—*(a) *Educational requirement.* Applicants must have successfully completed a full four-year course in an accredited college or university leading to a bachelor's degree with major study in plant pathology, or plant science including courses in plant pathology.

(b) *Duties.* Research plant pathologists administer, supervise, perform, or advise on research in the cause, nature, prevalence, and severity of parasitic, non-parasitic, and virus diseases attacking economic plants; experiment in or establish methods for the prevention and control of such diseases; study the effects of such diseases on the planting, cultivation, transportation, and storage of plants or plant products; and perform related duties.

(c) *Knowledge and training requisite for performance of duties.*

NOTE: The provisions of paragraph (c) of § 24.69 are applicable to this section.

§ 24.84 *Plant physiologist (positions involving highly technical research, design, or development, or similar complex scientific functions), P-486-2-7—*(a) *Educational requirement.* Applicants must have successfully completed a full four-year course in an accredited college or university leading to a bachelor's degree with major study in plant physiology, or in plant science including courses in plant physiology.

(b) *Duties.* Research plant physiologists plan and conduct experiments for determining (1) the effects of environmental factors, light, temperature, moisture, and nutrition upon the rate, kind, and amount of plant growth; (2) physical properties and chemical composition of plants or plant parts in relation to variety and conditions of growth; and (3) maturity, quality and storage life of flowers, fruits, roots, seeds, or plant products; study effects and nature of substances that regulate growth and development of plants; make analyses of experimental data and prepare manuscripts dealing with such research investigations; and perform related duties.

(c) *Knowledge and training requisite for performance of duties.*

NOTE: The provisions of paragraph (c) of § 24.69 are applicable to this section.

§ 24.85 *Poultry husbandman, nutrition (positions involving highly technical research, design, or development, or similar complex scientific functions), P-458-2-7—*(a) *Educational requirement.* Applicants must have successfully completed a full four-year course in an accredited college or university leading to a bachelor's degree with major study in poultry husbandry, or in animal husbandry combined with courses in biochemistry or nutrition.

(b) *Duties.* Research poultry husbandmen (nutrition) plan and conduct research investigations in the field of nu-

trition as related to poultry; and perform related duties.

(c) *Knowledge and training requisite for performance of duties.*

NOTE: The provisions of paragraph (c) of § 24.69 are applicable to this section.

§ 24.86 *Poultry physiologist (positions involving highly technical research, design, or development, or similar complex scientific functions), P-414-2-7—*(a) *Educational requirement.* Applicants must have successfully completed a full four-year course in an accredited college or university leading to a bachelor's degree with major study in poultry or animal physiology.

(b) *Duties.* Research poultry physiologists conduct research on the physiological aspects of reproduction and development in the domestic fowl; and perform related duties.

(c) *Knowledge and training requisite for performance of duties.*

NOTE: The provisions of paragraph (c) of § 24.69 are applicable to this section.

§ 24.87 *Soil scientist (positions involving highly technical research, design, or development, or similar complex scientific functions), P-491 and P-1384-2-7—*(a) *Educational requirement.* Applicants must have successfully completed a full four-year course in an accredited college or university leading to a bachelor's degree with major study in soil science, or soil science in combination with a closely allied subject.

(b) *Duties.* Research soil scientists plan and conduct research in the field to determine the character, genesis, morphology, and classification of soils for plant production and management and to determine the methods of soil management which will maintain and improve production of crops; or perform basic soil and plant research in the chemical, physical, and biological properties by laboratory, greenhouse, and field plot studies; and perform related duties.

(c) *Knowledge and training requisite for performance of duties.*

NOTE: The provisions of paragraph (c) of § 24.69 are applicable to this section.

(Sec. 5, 58 Stat. 388; 5 U. S. C. 854)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] H. B. MITCHELL,
President.

[F. R. Doc. 48-7257; Filed, Aug. 11, 1948; 8:47 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter II—Production and Marketing Administration (Commodity Credit)

[1948 C. C. C. Grain Sorghums Bulletin 1, Amdt. 1]

PART 263—GRAIN SORGHUMS LOANS AND PURCHASE AGREEMENTS

1948 GRAIN SORGHUMS PRICE SUPPORT PROGRAM BULLETIN

The regulations issued by Commodity Credit Corporation and the Production and Marketing Administration published in 13 F. R. 3880, governing the making

of loans on grain sorghums produced in 1948, are hereby amended as follows:

The county loan rates in paragraph (c) of § 263.224 are amended as follows:

1. The loan rate for Finney County, Kansas, is increased from "\$2.30" to "\$2.32."

2. To the schedule of loan rates for New Mexico the following county loan rate is added:

County:	Rate
Socorro.....	\$2.07

3. The loan rate for Buffalo County, South Dakota, is rescinded.

4. To the schedule of loan rates for Texas the following county loan rates are added:

County:	Rate
Coryell.....	\$2.38
McLennan.....	2.39
Tarrant.....	2.35

(Sec. 302 (a), 52 Stat. 43, sec. 4 (b), 55 Stat. 498, Pub. Law 806, 80th Cong.; 7 U. S. C. 1302 (a), 15 U. S. C. 713a-8 (b))

[SEAL]

HAROLD K. HILL,
Acting Manager,
Commodity Credit Corporation.

AUGUST 6, 1948.

[F. R. Doc. 48-7260; Filed, Aug. 11, 1948; 8:48 a. m.]

TITLE 7—AGRICULTURE

Chapter I—Production and Marketing Administration (Standards, Inspections, Marketing Practices)

PART 52—PROCESSED FRUITS, VEGETABLES, AND OTHER PRODUCTS (INSPECTION, CERTIFICATION, AND STANDARDS)

UNITED STATES STANDARDS FOR GRADES OF CUCUMBER PICKLES

Correction

In F. R. Doc. 48-6641, appearing in the issue for Friday, July 23, 1948, at page 4222, the following changes should be made:

1. In § 52.558 (c) (4) (i), in the fifth and sixth lines delete the words "or other seasoning or flavoring."

2. In § 52.558 (c) (5), in the second line, insert "of" after "be".

3. In § 52.558 (c) (5) (ii), in the ninth line, change "of" to read "or".

Chapter VII—Production and Marketing Administration (Agricultural Adjustment)

PART 725—BURLEY AND FLUE-CURED TOBACCO

PROCLAMATION OF NATIONAL MARKETING QUOTA FOR FLUE-CURED TOBACCO FOR 1949-50 MARKETING YEAR

§ 725.501 *Basis and purpose.* This document is issued to announce the reserve supply level and the total supply of flue-cured tobacco for the marketing year beginning July 1, 1948, and to establish the national marketing quota for flue-cured tobacco for the marketing year beginning July 1, 1949. The Agricultural Adjustment Act of 1938, as amended, provides that whenever the Secretary finds that the total supply of

RULES AND REGULATIONS

tobacco, as of the beginning of the marketing year then current, exceeds the reserve supply level therefor, the Secretary shall proclaim not later than December 1, the amount of such total supply and also determine and specify in such proclamation the amount of the national marketing quota in terms of the total quantity of tobacco which may be marketed which will make available during the next marketing year a supply of tobacco equal to the reserve supply level. The findings and determinations by the Secretary are contained in § 725.502 and have been made on the basis of the latest available statistics of the Federal Government and after due consideration of recommendations received from flue-cured tobacco producers and others submitted pursuant to a notice appearing in the FEDERAL REGISTER (13 F. R. 4128), in accordance with the Administrative Procedure Act (60 Stat. 237).

§ 725.502 *Findings and determinations with respect to the national marketing quotas for flue-cured tobacco for the marketing year beginning July 1, 1949*—(a) *Reserve supply level.* The reserve supply level for flue-cured tobacco is 2,540,000,000 pounds, calculated, as provided in the act, from a normal year's domestic consumption of 660,000,000 pounds and a normal year's exports of 366,000,000 pounds.

(b) *Total supply.* The total supply of flue-cured tobacco as of the beginning of the marketing year for such tobacco beginning July 1, 1948, is 2,560,000,000 pounds consisting of carry-over of 1,550,000,000 pounds and estimated 1948 production of 1,010,000,000 pounds.

(c) *National marketing quota.* The amount of flue-cured tobacco which will make available during the marketing year beginning July 1, 1949, a supply of flue-cured tobacco equal to the reserve supply level of such tobacco is 1,030,000,000 pounds, and a national marketing quota of such amount is hereby proclaimed.

(52 Stat. 40, 41, 42, 43, 46, 53 Stat. 1261, 54 Stat. 392, 56 Stat. 121, 57 Stat. 387, 58 Stat. 136; 7 U. S. C. 1301 (b), 1301 (c), 1312 (a); 60 Stat. 21)

Done at Washington, D. C., this 6th day of August 1948. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 48-7259; Filed, Aug. 11, 1948; 8:48 a. m.]

Chapter VIII—Production and Marketing Administration (Sugar Branch)

[General Sugar Quota Reg., Series 10, No. 1, Amdt. 4]

PART 821—SUGAR QUOTAS

SUGAR QUOTAS FOR 1948

By virtue of the authority vested in the Secretary of Agriculture by the Sugar Act of 1948 (61 Stat. 922) and the Administrative Procedure Act (60 Stat.

¹ Rounded to nearest million pounds.

237), General Sugar Quota Regulations, Series 10, No. 1 (13 F. R. 133) as amended (13 F. R. 1303, 3109, 4009), establishing sugar quotas for 1948, are hereby amended as hereinafter set forth.

Basis and purpose. The amendments herein are issued pursuant to the Sugar Act of 1948 and are made for the purpose of (1) giving effect to the revision of the determination of sugar consumption requirements made by the Secretary of Agriculture on July 26, 1948, and (2) prorating a further deficit in the 1948 sugar quota for the Republic of the Philippines.

Section 204 (a) of the act provides that the Secretary shall from time to time determine whether any domestic area, the Republic of the Philippines, or Cuba will be unable to market its quota. If he finds that the Republic of the Philippines will be unable to fill its quota, the quotas for Cuba and foreign countries other than Cuba and the Republic of the Philippines shall be revised by prorating an amount of sugar equal to the deficit so determined on the basis of 95 percent to Cuba and 5 percent to such foreign countries.

After providing for quotas in specific amounts for domestic sugar producing areas and the Republic of the Philippines, section 202 of the act provides that the difference between the sum of such quotas and the consumption estimate shall be prorated to foreign countries other than the Republic of the Philippines on the basis of stated percentages. Thus the statute states specifically how quotas are to be revised when there is a change in the estimate of consumption requirements or when an area deficit is determined. The act further provides that the quota for any domestic area, the Republic of the Philippines, Cuba, or other foreign countries as established under section 202 shall not be reduced by reason of the determination of a deficit under the provisions of section 204. Therefore, it is hereby determined and found that compliance with the notice and procedure requirements of the Administrative Procedure Act is unnecessary. The amendments made herein shall become effective 30 days after the date of their publication in the FEDERAL REGISTER.

General Sugar Quota Regulations, Series 10, No. 1 (13 F. R. 133), as amended (13 F. R. 1303, 3109, 4009), are hereby further amended as follows:

1. Section 821.4 is changed to read:

§ 821.4 *Revised quotas for other areas.* There are hereby established, pursuant to subsections (b) and (c) of section 202 of the act, for foreign countries for the calendar year 1948, the following quotas:

Area	Quotas in terms of short tons, raw value
Republic of the Philippines	982,000
Cuba	1,923,480
Other foreign countries	26,520

2. Paragraphs (c) and (d) of § 821.5 are changed to read:

§ 821.5 *Determination and proration of area deficits.* * * *

(c) *Deficit in quota for the Republic of the Philippines.* It is hereby determined, pursuant to subsection (a) of section 204 of the act, that for the calendar

year 1948 the Republic of the Philippines will be unable by an amount of 742,000 short tons of sugar, raw value, to market the quota established for that area in § 821.4.

(d) *Proration of deficit in quota for the Republic of the Philippines.* An amount of sugar equal to the deficit determined in paragraph (c) of this section is hereby prorated, pursuant to subsection (d) of section 204 of the act, as follows:

Area	Additional quotas in terms of short tons, raw value
Cuba	704,900
Foreign countries other than Cuba and the Republic of the Philippines	37,100

3. Section 821.6 is changed to read:

§ 821.6 *Proration of quota for foreign countries other than Cuba and the Republic of the Philippines.*—(a) *Revised prorations.* The quota for foreign countries other than Cuba and the Republic of the Philippines is hereby prorated, pursuant to subsection (c) of section 202 of the act, among such countries as follows:

Country:	Prorations in pounds, raw value
Belgium	312,661
Canada	599,390
China and Hong Kong	306,081
Czechoslovakia	279,722
Dominican Republic	7,084,336
Dutch East Indies	224,566
Guatemala	355,787
Haiti, Republic of	979,087
Honduras	3,646,628
Mexico	6,408,034
Netherlands	231,451
Nicaragua	10,858,401
Peru	11,807,192
Salvador	8,720,439
United Kingdom	372,535
Venezuela	308,087
Other countries	45,603
Subtotal	52,540,000
Unallotted reserve	500,000
Total	53,040,000

(b) *Additional prorations.* An amount of sugar equal to that part of the deficit prorated to foreign countries other than Cuba and the Republic of the Philippines under paragraph (d) of § 821.5 is hereby prorated, pursuant to subsection (a) of section 204 of the act as follows:

Country:	Additional prorations in pounds, raw value
Belgium	396,927
Canada	760,930
China and Hongkong	388,573
Czechoslovakia	355,109
Dominican Republic	10,276,466
Dutch East Indies	285,089
Guatemala	451,675
Haiti, Republic of	1,242,960
Honduras	4,629,427
Mexico	8,135,056
Netherlands	293,830
Nicaragua	13,784,837
Peru	17,127,392
Salvador	12,649,780
United Kingdom	472,937
Venezuela	403,785
Other countries	57,893
Subtotal	71,700,000
Unallotted reserve	2,500,000
Total	74,200,000

STATEMENT OF BASES AND CONSIDERATIONS

Revised quotas due to increase in consumption requirements. The revised quotas for Cuba and "Other Foreign Countries" have been established by prorating the amount by which the revised estimate of consumption exceeds the quotas for domestic areas and the Philippines on the basis of 98.64 per centum to Cuba and 1.36 per centum to "Other Foreign Countries," as provided in section 202 (c) of the act. In addition, as provided in section 202 (c), the revised quota for "Other Foreign Countries" has been prorated on the basis of the prorations of such quota in effect for the calendar year 1937.

Area deficits—Republic of the Philippines. Official estimates now indicate that the total production in the Philippines during the calendar year 1948 will not exceed 400,000 short tons of sugar and that no more than 240,000 short tons of this amount will be brought into the continental United States during the calendar year 1948. Therefore, it has been determined that the Republic of the Philippines, in addition to the deficit of 692,000 short tons of sugar, raw value, established in General Sugar Quota Regulations, Series 10, No. 1, dated January

7, 1948, will be unable by an additional amount of 50,000 short tons of sugar, raw value to market its quota for the calendar year 1948. Accordingly, 50,000 short tons of sugar, raw value, have been prorated to Cuba and foreign countries other than Cuba and the Republic of the Philippines on the basis of 95 percent to Cuba and 5 percent to such other foreign countries, as required by the act. In order to be reasonably certain that the Philippine deficit will be utilized, the additional quota for foreign countries other than Cuba and the Republic of the Philippines has been prorated, pursuant to section 204 (d) of the act, to the Dominican Republic, Peru, and El Salvador on the basis of existing quotas. These 3 areas are the only ones which have filled or substantially filled their basic quotas and their prorations of the original Philippine deficit established on January 7, 1948.

After giving effect to the changes set forth in General Sugar Quota Regulations, Series 10, No. 1, and amendments thereto, the current sugar quotas, in terms of short tons, raw value, for the several domestic sugar producing areas, Cuba, the Republic of the Philippines, and "Other Foreign Countries" are as follows:

Production area	Basic quota	Proration of deficits in quotas					Adjusted quotas
		First Hawaiian	First Philippine	Second Hawaiian ¹	Mainland cane ¹	Second Philippine	
Domestic beet	1,800,000	47,738					1,847,738
Mainland cane	600,000	13,260			(100,000)		413,260
Hawaii	1,052,000	(152,000)		(75,000)			825,000
Puerto Rico	910,000	24,134		20,701	27,601		982,436
Virgin Islands	6,000	159					6,159
Philippines	682,000		(692,000)			(50,000)	240,000
Cuba	1,923,480	66,709	657,400	54,299	72,399	47,500	2,821,787
Other foreign countries							
Belgium	156.3		198.5				354.8
Canada	299.7		380.5				680.2
China and Hong Kong	153.0		194.3				347.3
Czechoslovakia	139.8		177.6				317.4
Dominican Republic	3,542.2		4,496.8			641.4	8,680.4
Dutch East Indies	112.3		142.5				254.8
Guatemala	177.9		225.8				403.7
Haiti, Republic of	459.5		621.5				1,111.0
Honduras	1,823.3		2,314.7				4,138.0
Mexico	3,204.1		4,067.5				7,271.6
Netherlands	115.7		146.9				262.6
Nicaragua	5,429.2		6,892.4				12,321.6
Peru	5,903.6		7,494.7			1,069.0	14,467.3
Salvador	4,360.3		5,535.3			789.6	10,685.2
United Kingdom	186.2		236.5				422.7
Venezuela	154.0		195.6				349.6
Other countries	22.9		28.9				51.8
Unallotted	26,270.0		33,350.0			2,500.0	62,120.0
	250.0		1,250.0			0	1,500.0
Subtotal	26,520.0		34,600.0			2,500.0	63,620.0
Total	7,200,000						7,200,000

¹ Announced July 12, 1948.

(Secs. 201, 403, Pub. Law 388, 80th Cong.; 61 Stat. 922)

Done at Washington, D. C., this 9th day of August 1948.

Witness my hand and the seal of the Department of Agriculture.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 48-7280; Filed, Aug. 11, 1948; 8:52 a. m.]

TITLE 10—ARMY

Chapter V—Military Reservations and National Cemeteries

PART 501—LIST OF EXECUTIVE ORDERS, PROCLAMATIONS AND PUBLIC LAND ORDERS AFFECTING MILITARY RESERVATIONS

CALIFORNIA

CROSS REFERENCE: For order withdrawing public lands in California for the

use of the Department of the Army for military purposes, which affects the tabulation contained in § 501.1, see Public Land Order 511 in the Appendix to Chapter I of Title 43, *infra*.

Chapter VIII—Supplies and Equipment

PART 802—PROCUREMENT POLICIES

PART 804—NEGOTIATED PURCHASES

MISCELLANEOUS AMENDMENTS

1. Section 802.110 is added to Part 802, as follows:

§ 802.110 *Price discrimination, etc.* (Robinson-Patman Act). The Attorney General has expressed the opinion that the act of October 15, 1914 (38 Stat. 730), as amended by the act of June 19, 1936 (49 Stat. 1526; 15 U. S. C. 13 et seq.), commonly referred to as the Robinson-Patman Act, is not applicable to Government contracts for supplies (38 Op. Atty. Gen. 539). If a prospective bidder inquires concerning the application of the Robinson-Patman Act, he should be referred to the opinion of the Attorney General cited above.

2. Section 804.116-2 of Part 804 is rescinded and the following substituted therefor:

§ 804.116-2 *Application.* No purchase or contract may be negotiated under the authority of this paragraph unless, after rejection of all unreasonable bids:

(a) Prior notice of intention to negotiate, and a reasonable opportunity to negotiate have been given by a Contracting Officer to each responsible bidder who has submitted a bid under the invitation for bids; and

(b) The negotiated price is lower than the lowest rejected bid price of a responsible bidder, as determined by the Secretary; and

(c) The negotiated price is the lowest negotiated price offered by any responsible supplier.

[Proc. Cir. 20, July 28, 1948] (Sec. 1 (a), (b), 54 Stat. 712, 55 Stat. 838; 41 U. S. C. prec. sec. 1 note, 50 U. S. C. App. 601-622; E. O. 9001, Dec. 27, 1941, 3 CFR, Cum Supp.)

[SEAL] EDWARD F. WITSELL,
Major General,
The Adjutant General.

[F. R. Doc. 48-7258; Filed, Aug. 11, 1948; 8:47 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 5088]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

MASTER ENGRAVERS GUILD ET AL.

§ 3.24 (a) *Coercing and intimidating—Competitors—By threatening disciplinary action or otherwise.* § 3.24 (a) Co-

ercing and intimidating—Competitors—By withdrawing or cutting off labor supply: § 3.27 (d) Combining or conspiring—To enhance, maintain or unify prices: § 3.27 (f) Combining or conspiring—To limit distribution or dealing to regular, established or acceptable channels or classes: § 3.27 (h) Combining or conspiring—To restrain and monopolize trade: § 3.27 (i) Combining or conspiring—To restrict competition in buying: § 3.33 (b) 10) Cutting off competitors' or others' supplies or service—Refusing sales to, or same terms and conditions. In connection with the offering for sale, sale, and distribution of etchings and engravings in commerce, and on the part of respondent guild, respondents Stone and McAllister, officers thereof, respondent Service Corporation, and thirteen guild members, and their respective officers, etc., entering into, continuing, cooperating in, or carrying out any planned common course of action, mutual agreement, understanding, combination, or conspiracy between and among any two or more of said respondents or between any one or more of said respondents and others not parties, to (1) establish, fix, or maintain prices, terms, or conditions of sale for etchings or engravings, or adhere to or promise to adhere to the prices, terms, or conditions of sale so fixed; (2) establish, fix, or maintain a minimum price for etchings or engravings placed upon rollers for use in printing fabrics, or adhere to or promise to adhere to the minimum price so fixed; (3) restrict or attempt to restrict the customers of respondent engravers to printers of fabrics, or agree not to place engravings or etchings on rollers for converters or persons or concerns other than printers of fabrics; (4) refuse to solicit or to accept or agree not to solicit or accept designs for engravings from converters, persons, or firms whose business is not that of printing fabrics; (5) authorize or permit examination of the books or other records of the respondent engravers by any agent of the Master Engravers Guild or Master Engravers Service Corporation or by any agent of the respondent engravers, or any of them, to determine or check the prices, terms, or conditions of sale at which any respondent engraver has made or is currently making sales; (6) coerce, induce, or persuade respondent members to adhere to or maintain the prices, terms, or conditions of sale established by respondent members by establishing or setting up any central agency or bureau with authority to investigate or examine the books, records, or plants of the respondent engravers with power to hold hearings and to impose penalties; (7) expel or attempt to expel any respondent engraver from the Master Engravers Guild for failure to maintain or adhere to any minimum price for engraving established by the respondent engravers by or through the Master Engravers Guild; (8) induce or attempt to induce the Friendly Society of Engravers and Sketchmakers to issue its insignia or union label only to members of respondent Master Engravers Guild who are in good standing; (9) induce or attempt to induce the Friendly

Society of Engravers and Sketchmakers to withdraw the right to use its insignia from members of the respondent Master Engravers Guild who do not maintain the minimum prices or the terms or conditions of sale adopted by said Master Engravers Guild or who have been expelled or penalized for such failure to maintain minimum prices, terms, or conditions of sale; (10) induce or attempt to induce the Friendly Society of Engravers and Sketchmakers to withdraw its members from the plant of any engraver who fails to maintain the minimum prices and the terms and conditions of sale adopted by the respondent engravers or who has been expelled or penalized by the respondent Master Engravers Guild or other central agency established by the respondent engravers; (11) induce or attempt to induce the Friendly Society of Engravers and Sketchmakers to make the maintenance of membership in respondent Master Engravers Guild a condition precedent to the right to use insignia or union label of said Friendly Society of Engravers and Sketchmakers; or (12) agree to transact business only with customers approved by the Master Engravers Service Corporation or any central agency or bureau; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 5, 52 Stat. 112; 15 U. S. C., sec. 45b) [Cease and desist order, Master Engravers Guild et al., Docket 5088, June 3, 1948]

At a regular session of the Federal Trade Commission, held at its office in the city of Washington, D. C., on the 3d day of June A. D. 1948.

In the matter of Master Engravers Guild, a corporation; Master Engravers Service Corporation, a corporation; George Stone, individually and as President of respondent Guild; Duncan C. McAllister, individually and as Secretary of respondent Guild and respondent Service Corporation; John G. Stockman, an individual doing business as Globe Engraving Co.; The Textigrave Company, a corporation; The George H. Phelps Engraving Co., a corporation; Highland Engraving Company, Inc., a corporation; Delagrave Company of South Carolina, a corporation; Columbia Textile Engraving Co., a corporation; Thos. L. Stone and Lillias I. Stone, copartners, doing business as Thos. & Geo. M. Stone, Inc.; Textile Engravings, Incorporated, a corporation; the George S. Smith Engraving Co., a corporation; Delagrave Company, a corporation; The Passaic Engraving Company, a corporation; Modern Engraving Co., a corporation; Thomas M. Kreger Corporation, a corporation; Textile Process Engraving Co., The Metropolitan Engraving Co., Paterson Engraving Co., Superior Textile Engraving Works, New England Engraving Works, Jas. F. Derrig Engraving Co., John Hope & Sons.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, answers of the respondents, testimony and other evidence in support of and in opposition to the allegations of said complaint taken before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner upon

the evidence and exceptions filed thereto, and briefs filed in support of the complaint and in opposition thereto; and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondents, Master Engravers Guild, an incorporated membership association; Master Engravers Service Corporation, a corporation; George Stone, individually and as president of respondent Guild; Duncan C. McAllister, individually and as secretary of respondent Guild and respondent Service Corporation; John G. Stockman, an individual doing business as Globe Engraving Co.; The Textigrave Company, a corporation; The George H. Phelps Engraving Co., a corporation; Highland Engraving Company, Inc., a corporation; Delagrave Company of South Carolina, a corporation; Textile Engravings, Incorporated, a corporation; The George S. Smith Engraving Co., a corporation; Delagrave Company, a corporation; The Passaic Engraving Company, a corporation; Textile Process Engraving Co.; Paterson Engraving Co.; Superior Textile Engraving Works; and New England Engraving Works, and their respective officers, agents, representatives, and employees, in connection with the offering for sale, sale, and distribution of etchings and engravings in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from entering into, continuing, cooperating in, or carrying out any planned common course of action, mutual agreement, understanding, combination, or conspiracy between and among any two or more of said respondents or between any one or more of said respondents and others not parties hereto to do or perform any of the following acts or practices:

1. Establishing, fixing, or maintaining prices, terms, or conditions of sale for etchings or engravings, or adhering to or promising to adhere to the prices, terms, or conditions of sale so fixed.

2. Establishing, fixing, or maintaining a minimum price for etchings or engravings placed upon rollers for use in printing fabrics, or adhering to or promising to adhere to the minimum price so fixed.

3. Restricting or attempting to restrict the customers of respondent engravers to printers of fabrics, or agreeing not to place engravings or etchings on rollers for converters or persons or concerns other than printers of fabrics.

4. Refusing to solicit or to accept or agreeing not to solicit or accept designs for engravings from converters, persons, or firms whose business is not that of printing fabrics.

5. Authorizing or permitting examination of the books or other records of the respondent engravers by any agent of the Master Engravers Guild or Master Engravers Service Corporation or by any agent of the respondent engravers, or any of them, to determine or check the prices, terms, or conditions of sale at which any respondent engraver has made or is currently making sales.

6. Coercing, inducing, or persuading or attempting to coerce, induce, or persuade respondent members to adhere to or maintain the prices, terms, or conditions of sale established by respondent members by establishing or setting up any central agency or bureau with authority to investigate or examine the books, records, or plants of the respondent engravers with power to hold hearings and to impose penalties.

7. Expelling or attempting to expel any respondent engraver from the Master Engravers Guild for failure to maintain or adhere to any minimum price for engraving established by the respondent engravers by or through the Master Engravers Guild.

8. Inducing or attempting to induce the Friendly Society of Engravers and Sketchmakers to issue its insignia or union label only to members of respondent Master Engravers Guild who are in good standing.

9. Inducing or attempting to induce the Friendly Society of Engravers and Sketchmakers to withdraw the right to use its insignia from members of the respondent Master Engravers Guild who do not maintain the minimum prices or the terms or conditions of sale adopted by said Master Engravers Guild or who have been expelled or penalized for such failure to maintain minimum prices, terms, or conditions of sale.

10. Inducing or attempting to induce the Friendly Society of Engravers and Sketchmakers to withdraw its members from the plant of any engraver who fails to maintain the minimum prices and the terms and conditions of sale adopted by the respondent engravers or who has been expelled or penalized by the respondent Master Engravers Guild or other central agency established by the respondent engravers.

11. Inducing or attempting to induce the Friendly Society of Engravers and Sketchmakers to make the maintenance of membership in respondent Master Engravers Guild a condition precedent to the right to use insignia or union label of said Friendly Society of Engravers and Sketchmakers.

12. Agreeing to transact business only with customers approved by the Master Engravers Service Corporation or any central agency or bureau.

It is further ordered, That the complaint herein be, and the same hereby is, dismissed as to Columbia Textile, Engraving Co., a corporation; Thos. L. Stone and Lillias I. Stone, copartners, doing business as Thos. & Geo. M. Stone, Inc.; Modern Engraving Co., a corporation; Thomas M. Kreger Corporation, a corporation; The Metropolitan Engraving Co.; Jas. F. Derrig Engraving Co.; and John Hope & Sons.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 48-7269; Filed, Aug. 11, 1948;
8:49 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Federal Security Agency

[Docket No. FDC-50]

PART 36—SHELLFISH; DEFINITIONS AND STANDARDS OF IDENTITY; QUALITY AND FILL OF CONTAINER

CANNED OYSTERS

In the matter of establishing definitions and standards of identity and amending the standard of fill of container for canned oysters.

Final order; supplemental findings of fact, conclusions, and order. By virtue of the authority vested in the Federal Security Administrator by the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701; 52 Stat. 1046, 1055; 21 U. S. C. 341, 371), and on the basis of evidence received at a public hearing held at the direction of the United States Circuit Court of Appeals for the Ninth Circuit beginning on July 7, 1948, the following findings of fact, conclusions, and order are made:

DEFINITIONS AND STANDARDS OF IDENTITY

Findings of fact. 1. Finding 6¹ is modified so that the second sentence shall read: The proportion of oysters to liquid in the finished food depends on the quantity of oysters placed in the container before packing medium is added and on the extent to which such oysters have been precooked by pre-steaming in the shell or blanching after removal from the shell (R. 728, 977).

2. Finding 7 is modified by adding the following at the end thereof:

At the commencement of the 1947-1948 canning season, Willapoint Oysters, Inc., and other canners of Pacific oysters, began the commercial practice of preparing oysters for canning without pre-steaming in the shell.² Oysters were purchased as raw shucked oysters or were shucked at the canneries. They were, after washing, immersed in a hot brine solution, the salt content of which ranged from approximately 3 to 10 percent, and blanched in the hot brine for a period from 30 to 60 seconds. After removal from the brine solution, the oysters were washed in fresh water, cooled, and held in warm water until they were ready to be placed in the cans. The cans, after filling with a put-in weight of approximately 7½ oz. of blanched oysters, a salt tablet and water, were sealed and processed by heat, using the regular cannery procedure. When this blanching method of preparation is employed, or when modified methods are used, the treat-

¹This refers to a finding in the order promulgating a definition and standard of identity for canned oysters and amending the standard of fill of container therefor, published in 13 F. R. 1337.

²The method used by Willapoint Oysters, Inc., was worked out by Mr. R. H. Bailey, president of the firm, in the kitchen of his home using a pressure cooker and a hand closing machine. He furnished no data as to the maximum fill obtainable, and despite one year's experience with the method, no attempts, experimental or commercial, have been made to increase the fill beyond 5 ounces drained weight. (R. 713, 751, 767-770, 776, 1037-1038)

ment of oysters in the boiling brine solution causes the raw oysters to lose water and soluble solids into the brine solution. This loss approximates 16% by weight from the raw oysters. Such loss is not significantly different from the loss which occurs when Pacific oysters are subjected to a light pre-steaming in the shell. After processing in the can, the canned oysters prepared from blanched oysters are practically indistinguishable from those prepared from oysters that have been pre-steamed in the shell, although blanched oysters have a slightly different flavor and the liquid drained from canned oysters that have been prepared for canning by blanching has more fine particles of oyster material in suspension than does similar liquid drained from cans prepared after pre-steaming the oysters in the shell. (R. 713-716, 773, 800, 803, 811-815, 820-826, 829, 844-845, 847-848, 875, 902-906, 1144-1147, Ex. 33)

STANDARD OF FILL OF CONTAINER

Findings of fact. The following findings of fact are made in addition to those forming part of the order previously promulgated (13 F. R. 1337):

9. Pacific oysters prepared for canning by the blanching method are no better than canned Pacific oysters prepared for canning by pre-steaming in the shell. A substantial segment of persons in the industry and large scale purchasers regard them as inferior because of the material suspended in the liquid and because the oysters are more tender and break more readily. Willapoint Oysters, Inc., the principal producer of canned oysters prepared for canning by the blanching method has not differentiated canned oysters prepared from blanched oysters from canned oysters prepared from pre-steamed oysters either by labeling, advertising, or merchandising representations. No changes in labeling have been made by any canners using the blanching method in order to inform purchasers of canned oysters of the method used in preparing their oysters for canning. The same labeling is used for pre-steamed and for blanched oysters. (R. 757, 760, 800, 803, 824, 847-848, 878-882, 1057, Ex. 23, 24, 31)

10. In order to attain a given drained weight of canned oysters, the changes which take place in the oysters during the preparation for and in the canning process must be taken into account. The most significant change is the loss of liquid and the cooking of the oyster meats when oysters are subjected to heat treatment. The total quantity of liquid which separates, based on the weight of raw oysters, is approximately the same whether the oysters are packed into the can raw, given partial cooking in boiling salt water prior to placement in the can (as occurs in the blanching process), or partly cooked in the shell by steaming. (R. 38, 55, 163, 826, 877, 1129, 1143-1144, Ex. 11 (g), 11 (e), Ex. 33)

11. When raw oysters are used to fill the can and no water is added as a packing medium, all of the liquid draining from the oysters because of heat treatment is retained in the can and forms the packing medium. This results in

the maximum retention of oyster flavor, but the liquid in the can after processing is quite murky, and this is objectionable to many purchasers. To attain a drained weight of approximately 7 ounces from the No. 1 EO can, it is necessary to put in approximately 11 ounces of raw Pacific oysters. (R. 32, 41, 124, 722-723, 784, 848, 1046)

12. During the blanching process such as described in modified finding 7 under Identity, the raw oysters are partly cooked and lose some liquids. The loss in weight is approximately 16%.³ As a result of this loss of liquid during blanching, there is less loss in the can during processing than with raw oysters. To attain a drained weight of 7 ounces from the No. 1 EO can, a lesser put-in weight is required than for raw oysters, i. e., about 9½ ounces are necessary with the degree of cooking during the blanching process employed by Willapoint Oysters, Inc. To attain a drained weight of 5 ounces using similarly blanched oysters a put-in weight of only 7½ ounces is necessary. This quantity of blanched oysters does not fill the can. Water is added to the blanched oysters in the can to serve as part of the packing medium; it fills space in the can not filled with oysters. The lower put-in weight permits a canner to replace 2 ounces of blanched oysters with 2 ounces of water. (R. 825-826, 830, 854, 859-866, 869-871, 875, Ex. 33)

13. When the practice of presteaming oysters in the shell is used, it is customary to steam them sufficiently to cause the shells to open. This is an economical method of opening oysters prior to removal from their shells. When this practice is employed there usually is a slightly greater loss of liquid than occurs in blanching. As a result there is slightly less liquid lost in the can during heat processing than with blanched oysters. Using Pacific oysters that have been presteamed enough to cause the shells to open, a put-in weight of about 9 ounces in the No. 1 EO can is needed to give a drained weight of approximately 7 ounces. Canned oysters prepared from presteamed oysters have less of the original oyster flavor than when raw oysters are used, and slightly less oyster flavor than when blanched oysters are used. The difference is more pronounced as between the liquids. It is a common practice for canners of oysters on the Gulf and Atlantic coasts to presteam somewhat more than do canners of Pacific oysters. With heavily presteamed oysters, the meats are cooked more in the shells and are subject to less loss of liquids in the can, in fact, in many instances a put-in weight of around 7½ ounces will yield a drained weight of approximately 7 ounces. Water is added as a packing medium. (R. 718, 824, 829, 847, 978, 1039, 1054, 1062)

14. The put-in weight of oysters, because of variable losses which occur in the can during processing, is not an accurate measure of fill of container for canned oysters. It would be a reasonably accurate measure if all oysters were pre-cooked to the same degree before

weighing into the cans. (R. 178, 877, 977, 979, 1062, 1143-1144)

15. The liquid draining from oysters as a result of heating has food value and flavor. But it is of much less value to the consumer than is the meat of the oyster. The liquid drained from canned oysters, except where oysters without any blanching or pre-steaming are used, comes largely from the water added by the canner as packing medium. The smaller the put-in weight of oysters, the more water is added by the canner to form a packing medium. (R. 781, 827, 831, Ex. 28, 33)

16. Canned oysters which yield from the No. 1 can a drained weight of 5 ounces are slack-filled.⁴ As the drained weight of oysters is increased above 5 ounces, up to 7 ounces, only minor difficulties are encountered by the canner. No new equipment is necessary; no change in canning procedure is required. It is only necessary for the employees filling the empty cans to place more oysters in those cans as they start down the packing line. It may be necessary to use more care to prevent salt tablets from bouncing out of the cans. Sometimes a portion of the top oyster is clipped off by the sealing operation. This frequently occurs with a fill designed to yield 5 ounces drained weight but the relative incidence of clipping between a fill designed to yield 5 ounces and one devised to yield 6½ ounces is not shown by the record. (R. 775, 779, 786, 803, 806, 808, 823, 832, 848, 854, 861, 866, 869, 871, 875, 908, 1113, 1115, 1117-1124, Ex. 32)

17. The factors of quality in canned oysters that are most important to consumers are not disclosed by the record. The appearance factors discussed in the record and referred to as twisted and broken oysters, browning, and pressure are factors which were emphasized by a committee appointed by Pacific oyster canners to show why they should not be required to increase the fill of container that has been used by them. Except for pressure, the other conditions—twisted and broken oysters and browning—occur regularly in cans filled to yield 5 ounces drained weight. With slack-filled cans, the condition called pressure naturally is not encountered. Based on the number of oysters showing these defects, there is no real difference between canned oysters filled to yield 5 ounces of drained weight and those filled to yield 6½ ounces drained weight whether oysters were pre-steamed or blanched. On a can basis, the can with more oysters tends to have more damaged oysters than a can with fewer oysters, since the percentage of oysters damaged in the canning procedure is about the same without respect to fill. (R. 204, 214-218, 785, 786, 881, 912, 918, 983-985, Ex. 19, 33)

18. Except for slight differences in flavor and appearance, the food value of the liquid packing medium taken from canned oysters is approximately the same in cans having the same drained weight of oysters, regardless of method of preparing the oysters for canning. As drained weight increases, the quantity of liquid packing medium decreases. This decrease is due to less water being

added to fill empty spaces in the can before sealing. The flavor and food value of the liquid packing medium, however, is inversely proportional to the amount of water added as a packing medium. (R. 823, 830, Ex. 33)

Conclusions. The following additional conclusions are made on the basis of the evidence of record and the foregoing findings:

There is no basis for making separate standards of fill of container for canned oysters based upon the method of preparing oysters for canning.

It will not promote honesty and fair dealing in the interest of consumers to base the fill of container requirement for canned oysters on the amount of oyster meat put into the can before processing, or on the method used in preparing oysters for canning.

It will promote honesty and fair dealing in the interest of consumers to base the fill of container requirements on the drained weight of oysters and to require the same drained weight whether the oysters used were packed into the can raw or were blanched or were presteamed in the shell before placement in cans.

A reasonable requirement for canned oysters packed with the blanching process which will promote honesty and fair dealing in the interest of consumers is that the drained weight of oysters be not less than 59% of the water capacity of the can.

It is ordered, That no change be made in the definition and standard of identity for canned oysters or in the standard of fill of container established by my final order of March 10, 1948.

(Secs. 401, 701, 52 Stat. 1046, 1055; 21 U. S. C. 341, 371)

Dated: August 3, 1948.

J. DONALD KINGSLEY,
Acting Administrator.

[F. R. Doc. 48-7279; Filed, Aug. 11, 1948; 8:52 a. m.]

TITLE 24—HOUSING CREDIT

Chapter VIII—Office of Housing Expediter

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

RENT REGULATIONS FOR CONTROLLED ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS IN NEW YORK CITY DEFENSE-RENTAL AREA

The Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments in the New York City Defense-Rental Area (§ 825.6)¹ is corrected in the following respect:

The unnumbered paragraphs of section 5 are corrected by eliminating the first paragraph.

This correction shall be effective as of July 1, 1948.

Issued this 11th day of August 1948.

TIGHE E. WOODS,
Housing Expediter.

[F. R. Doc. 48-7295; Filed, Aug. 10, 1948; 12:53 p. m.]

³By variations of salinity of brine, temperature and time of heating, the loss of liquid may be as great as, or even greater than, with presteaming. (R. 768, 771, 826, 877, 907, 1042, 1062, 1129, 1143)

⁴This is very graphically shown by Exhibit 32.

¹12 F. R. 4318, 5423, 5458, 5700; 13 F. R. 231, 442, 1876, 3921.

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter II—Fiscal Service, Department of the Treasury

Subchapter B—Bureau of the Public Debt

[1948, 1st Amdt. to Dept. Circ. 793, Rev., dated Aug. 1, 1947]

PART 324—ARMED FORCES LEAVE BONDS MISCELLANEOUS AMENDMENTS

AUGUST 6, 1948.

Pursuant to the authority contained in the Armed Forces Leave Act of 1946, as amended, (60 Stat. 963, 37 U. S. C. 32-37; 61 Stat. 510; Pub. Law 710, 80th Cong.) and the Second Liberty Bond Act, as amended, § 324.10 and § 324.11 (a) of Department Circular No. 793, Revised, dated August 1, 1947, (31 CFR 1947 Supp., Part 324) are amended and revised to read as follows:

§ 324.10 *Right to payment on death of owner.* Upon the death of an owner of an Armed Forces Leave Bond the bond becomes payable only to his survivors in the following order:

(a) Surviving wife or husband and children, if any, in equal shares;

(b) If such owner leaves no surviving spouse or children, then in equal shares to such owner's surviving parents, if any;

(c) If such owner leaves no surviving spouse, child, or parent, then in equal shares to such owner's surviving brothers and sisters, if any;

(d) If such owner leaves no surviving spouse, child, parent, brother, or sister, then in equal shares to the surviving child or children, if any, of such owner's deceased brothers and sisters. If there are no such survivors the bond will be retired and the amount covered into the general fund of the Treasury. Accordingly, payment will not be made to an executor or administrator of the estate of a deceased registered owner, and if a bond should come into the possession of such an executor or administrator, or other person not a survivor, following the death of the owner it should immediately be delivered to one of the survivors, if any; otherwise forwarded to the Division of Loans and Currency, Washington 25, D. C., with a signed statement that there are no known survivors.

§ 324.11 *Payment to survivors* * * *

(a) *Definition of survivors.* Survivors are defined in the act as follows:

(1) "Spouse" means a lawful wife or husband;

(2) "Children" include

(a) A legitimate child;

(b) A child legally adopted;

(c) A stepchild, if, at the time of death of the member or former member of the armed forces, such stepchild is a member of the deceased's household;

(d) An illegitimate child, but in the case of a male member or former male member of the armed forces only if he has been judicially ordered or decreed to contribute to such child's support; has been judicially decreed to be the putative father of such child; or has acknowledged under oath in writing that he is the father of such child; and

(e) A person to whom the member or former member of the armed forces at the time of death stands in loco parentis and so stood for not less than twelve months prior to the date of death;

(3) "Parent" includes father and mother, grandfather and grandmother, stepfather and stepmother, father and mother through adoption, and persons who, for a period of not less than one year prior to the death of the member or former member of the armed forces, stood in loco parentis to such member or former member: *Provided*, That not more than two parents may receive the benefits provided under this act and preference shall be given to the parent or parents, not exceeding two, who actually exercised parental relationship at the time of or most nearly prior to the date of the death of such member or former member of the armed forces; and

(4) "Brother" and "sister" include brothers and sisters of the half blood as well as those of the whole blood, stepbrothers and stepsisters, and brothers and sisters through adoption.

Compliance with the notice, public procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong.; 60 Stat. 237) is found to be unnecessary with respect to this revision for the reason that it is issued merely to conform the regulations governing Armed Forces Leave Bonds to the Act (Pub. Law 710, 80th Cong.) amending the Armed Forces Leave Act of 1946, as amended, under which amendatory act brothers and sisters and children of deceased brothers and sisters are added to the classes of survivors entitled to payment of an Armed Forces Leave Bond upon the death of the owner.

(59 Stat. 47, 60 Stat. 963, 61 Stat. 510, Pub. Law 710, 80th Cong.; 37 U. S. C. and App. Sup. 32-37)

[SEAL]

JOHN W. SNYDER,
Secretary of the Treasury.

[F. R. Doc. 48-7281; Filed, Aug. 11, 1948;
8:52 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

PART 670—RECORDS ADMINISTRATION IN FEDERAL RECORD DEPOTS

By virtue of the provisions of Public Law 26, 80th Congress (61 Stat. 31), and section 10 (a) (4) of Title I of the Selective Service Act of 1948 (Pub. Law 759, 80th Cong.), I hereby prescribe the following regulations governing the administration of the said Public Law 26, which regulations shall be a portion of the Selective Service Regulations:

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|-------|---|
| Sec. | Establishment. |
| 670.1 | Federal record depots. |
| 670.2 | Federal record depot for National Headquarters. |
| 670.3 | Protection of records. |
| 670.4 | Confidential records. |
| 670.5 | "Registrant," and "registrant's file" defined. |
| 670.6 | "Disclose," "furnish," and "examine" defined. |
| 670.7 | |

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|--------|--|
| Sec. | Availability and use of confidential records and information. |
| 670.8 | Supplying information; in general. |
| 670.11 | Searching or handling records. |
| 670.12 | Supplying statements of service. |
| 670.13 | Supplying information to former employers. |
| 670.14 | Supplying information to the American National Red Cross. |
| 670.15 | Supplying information to the Congress. |
| 670.16 | Subpena of records. |
| 670.17 | Supplying lists of registrants. |
| 670.18 | Forwarding mail addressed to a registrant. |
| 670.19 | Supplying information to Federal agencies and officials. |
| 670.31 | Supplying information to officials and agencies of States, the District of Columbia, Territories and possessions of the United States. |
| 670.32 | |

AUTHORITY: §§ 670.1 to 670.32, inclusive, issued under Pub. Law 26, 80th Cong.; 61 Stat. 31; sec. 10 (a) (4) Pub. Law 759, 80th Cong.

§ 670.1 *Establishment.* The provisions of the regulations in this part shall govern the administration, preservation, custody, use, and availability of all records which are now in or may hereafter be placed in Federal record depots and shall include (a) all such records obtained under the Selective Training and Service Act of 1940, as amended, (b) all such records obtained under Public Law 26, 80th Congress, and (c) any such records obtained under Title I of the Selective Service Act of 1948 as are designated by the Director of Selective Service.

§ 670.2 *Federal record depots.* Within each State Headquarters for Selective Service, as a division thereof, the Federal record depot established under the Office of Selective Service Records shall be maintained and operated with the same functions as before in accordance with the regulations in this part, and shall remain intact therein subject to the provisions of such directives as may hereafter be promulgated by the Director of Selective Service.

§ 670.3 *Federal record depot for National Headquarters.* A Federal record depot shall be established at National Headquarters for Selective Service as a branch of the Records Division, for the custody, preservation, servicing, and disposal of such records as may be designated by the Director of Selective Service.

§ 670.4 *Protection of records.* (a) Records of or in the physical custody of the Federal record depots of the Selective Service System shall not be loaned, transmitted, or delivered into the physical custody of any person or agency other than an official or office of the Selective Service System without the approval of the Director of Selective Service. When records are transmitted between offices of the Selective Service System in different States, they shall be channeled through State Headquarters for Selective Service. When cover sheets of registrants are transmitted by mail between Federal record depots and other offices of the Selective Service System, they shall be sent by registered mail, and strict accounting maintained of the dispatch and receipt thereof.

RULES AND REGULATIONS

(b) Selective service personnel shall take all possible care to keep records from being lost or destroyed. Under no circumstances shall a record be entrusted to any person not authorized to have it in his custody. When the person charged with the custody of a record transmits or delivers it to another, he shall place a notation showing the person or office of the Selective Service System to which it is transmitted or delivered in his files in the place from which the record was withdrawn.

§ 670.5 *Confidential records.* All records obtained under the Selective Training and Service Act of 1940, as amended, Public Law 26, 80th Congress, and Title I of the Selective Service Act of 1948, which are in Federal record depots of the several State Headquarters for Selective Service and the information contained in such records shall be confidential, and shall not be available in any manner or used for any purpose except as provided by the regulations in this part.

§ 670.6 *"Registrant," and "registrant's file" defined.* (a) When used in the regulations in this part, the term "registrant" shall be deemed to mean a person who registered under the provisions of the Selective Training and Service Act of 1940, as amended, or Title I of the Selective Service Act of 1948, whose cover sheet is in a Federal record depot.

(b) When used in the regulations in this part, the term "registrant's file" will be construed to include (1) his registration card, (2) his cover sheet and contents, and (3) any and all information relating to the individual registrant which is contained in the files of the Federal record depot.

§ 670.7 *"Disclose," "furnish," and "examine" defined.* When used in this part, the following words with regard to any record in a Federal record depot, or to information contained in any such record, shall have the meaning ascribed to them as follows:

(a) "Disclose" shall mean a verbal or written statement concerning any such record or information.

(b) "Furnish" shall mean providing in substance or verbatim a copy of any such record or information.

(c) "Examine" shall mean a visual inspection and examination of any such record or information at the office and in the presence of a State Director of Selective Service or his designated agent.

§ 670.8 *Availability and use of confidential records and information.* (a) Information contained in records in a registrant's file may be disclosed or furnished to, or examined by, the following persons, namely:

(1) The registrant, or any person having written authority from the registrant.

(2) The legal representative of a deceased registrant upon presentation of letters testamentary or letters of administration, or, where there is no legal representative appointed for the estate of a deceased registrant, his next of kin: *Provided*, That proof of the registrant's death and proof of the relationship of

the next of kin to the registrant have been submitted and are in his file. For the purpose of this subparagraph the next of kin of a registrant shall be limited to his widow, child, mother, father, brother, or sister.

(3) All personnel of the Selective Service System while engaged in the administration of Title I of the Selective Service Act of 1948 or Public Law 26, 80th Congress.

(4) Any agency, official, or employee, or class or group of officials or employees, of the United States or any State or subdivision thereof, but only when and to the extent specifically authorized in writing by the Director of Selective Service or as provided by the regulations in this part.

(b) Notwithstanding any other provisions of the regulations in this part, information contained in any record in a Federal record depot may be disclosed or furnished to, or examined by, any person having specific written authority from the Director of Selective Service. A State Director of Selective Service may disclose or furnish information to, or permit the examination thereof by, any such person but only when and to the extent and for the purpose designated by such written authority of the Director of Selective Service. No person shall use any information so disclosed, furnished, or examined for any purpose other than that designated in such written authority.

§ 670.11 *Supplying information; in general.* Requests for information contained in the records in a Federal record depot shall be made either in writing, or in person. No such information shall be supplied until the person making the request has been properly identified as a person, or as an authorized representative of an agency, entitled to obtain such information under the regulations in this part. Whenever any doubt shall exist as to whether any person or agency is entitled to obtain any such information, the matter shall be referred to the Director of Selective Service for decision.

§ 670.12 *Searching or handling records.* Except as specifically provided by the regulations in this part or by written authority of the Director of Selective Service, no person shall be entitled to search or handle any record which is in a Federal record depot.

§ 670.13 *Supplying statements of service.* State Directors of Selective Service shall prepare and deliver to the appropriate officials of the several States a Statement of Service World War II (OSSR Form 4) for all persons from that State who served for any period of time in the armed forces of the United States after September 16, 1940. Information concerning any such person so given to an official of any State on a Statement of Service World War II (OSSR Form 4) shall be used solely for the governmental purposes of such State, and no person shall use any such information, or give any such information to any other person for use, for any purpose other than the governmental purpose of such State, or shall use any such information before

a court of justice, or in support of any claim, against the United States.

§ 670.14 *Supplying information to former employers.* A State Director of Selective Service may disclose to the former employer of a registrant who is serving in, or who has been discharged from, the armed forces whether the registrant has or has not been discharged and, if discharged, the date thereof, upon reasonable proof that the registrant left a position in the employ of the person requesting such information in order to serve in the armed forces.

§ 670.15 *Supplying information to the American National Red Cross.* Information contained in records in a registrant's file may be disclosed or furnished to, or examined by, personnel of the American National Red Cross upon the request of the National Home Service Director or an Area Home Service Director thereof. Such request for information may be made in writing signed by one of the above authorized officials, or may be made in person by any such official. Any information obtained by the American National Red Cross under the provisions of this section shall, without exception, be used solely for the purposes of the American National Red Cross and shall not otherwise be given to any organization, association or person, and no person shall use any information so obtained for any purpose other than for the purposes of the American National Red Cross. Photographs or photostats of records in a registrant's file may be furnished or made in the manner provided in paragraph (a) of § 670.31. No original record contained in a registrant's file shall be examined outside the custody of an official of the Selective Service System without the approval of the Director of Selective Service.

§ 670.16 *Supplying information to the Congress.* All communications received by State Directors of Selective Service from individual members of Congress, from committees of the House of Representatives, or the Senate, or from the Congress as a body, requesting information from the records in a Federal record depot shall be forwarded to the Director of Selective Service for reply.

§ 670.17 *Subpena of records.* (a) In the prosecution of a registrant or any other person for a violation of the Selective Training and Service Act of 1940, or any amendment thereof, or of Public Law 26, 80th Congress, or of Title I of the Selective Service Act of 1948, or any regulations issued under either of said laws, or any orders or directions made pursuant to any such laws or regulations, or in any Federal court proceeding arising out of the Selective Training and Service Act of 1940, as amended, or Public Law 26, 80th Congress, or Title I of the Selective Service Act of 1948, all records of the registrant may be produced in response to the subpoena or summons of the court in which such prosecution or proceeding is pending.

(b) Except as provided in paragraph (a) of this section, no officer or employee of the Selective Service System shall produce a registrant's file, or any part there-

of, in response to the subpoena or summons of any court without the consent, in writing, of the registrant concerned, or of the Director of Selective Service.

(c) Whenever, under the provisions of this section, a registrant's file, or any part thereof, is produced as evidence in the proceedings of any court, such file shall remain in the personal custody of an official of the Selective Service System, and permission of the court be asked, after tender of the original file, to substitute a copy of the file with the court.

§ 670.18 *Supplying lists of registrants.* A State Director of Selective Service, upon request, may supply lists of names of registrants inducted or enlisted into the armed forces to local governmental, civic, patriotic, or fraternal organizations for the purpose of preparing honor rolls of men who have served in the armed forces. In the preparation of such lists of names, no distinction shall be made or indicated between registrants enlisted and registrants inducted, nor will addresses, branch of service or other information be given. No such list shall be supplied in any case where the State Director of Selective Service has reason to believe that the list will not be used for the purpose requested, or will be used for a commercial purpose.

§ 670.19 *Forwarding mail addressed to a registrant.* First class mail addressed to a registrant received by any State Director of Selective Service shall be forwarded to the registrant at his last known address whenever such action is possible. Whenever the address of the registrant is not known such mail shall be marked accordingly and returned to the post office.

§ 670.31 *Supplying information to Federal agencies and officials.* (a) Information contained in records in a registrant's file may be disclosed or furnished to, or examined by, personnel of an agency of the United States designated in paragraph (b) of this section upon the request of an official authorized under the provisions of such paragraph to request such information for the agency concerned. Such request for information may be made in writing signed by an authorized official of the agency, or may be made in person by such official. Any information obtained under the provisions of this section by an agency of the United States shall, without exception, be used solely for the purposes of such agency and shall not be given to any other agency or person, and no person shall use any such information for any purpose other than for the purposes of the agency which obtained the information. Whenever it shall become necessary to furnish photographs or photostats of records in a registrant's file, such records may be furnished by the State Headquarters for Selective Service, or by National Headquarters for Selective Service for the records of the respective depots. When an agency making an authorized request for information requires that records be reproduced and mobile reproduction equipment is available to such agency, the reproduction may be made in the record depot. Records in a

registrant's file shall not be examined outside of the physical custody of an official of the Selective Service System without the prior authority of the Director of Selective Service.

(b) Any agency of the United States named hereafter in this paragraph is authorized to obtain information contained in records in a registrant's file under the provisions of paragraph (a) of this section.

(1) *Veterans' Administration.* The Veterans' Administration may obtain such information upon the request of (i) the Administrator, (ii) the Assistant Administrator for Contact and Administrative Services, (iii) a Deputy Administrator in charge of a branch office, or (iv) a Regional Manager in charge of a regional office or a center having regional office activities.

(2) *Department of Justice.* The Department of Justice may obtain such information upon the request of (i) the Attorney General, (ii) the Administrative Assistant to the Attorney General, (iii) the Commissioner of Immigration and Naturalization, (iv) a District Director, an Officer in Charge, a Naturalization Examiner, an Immigrant Inspector, an Investigator, or a Patrol Inspector, Immigration and Naturalization Service, (v) a United States Attorney or his duly authorized representative, or (vi) an agent of the Federal Bureau of Investigation.

(3) *Department of the Army.* The Department of the Army may obtain such information upon the request of (i) the Administrative Assistant to the Secretary of the Army, (ii) the Executive Officer or the Secretary-Recorder of the Army Discharge Review Board, Washington, D. C., (iii) the Assistant Secretary-Recorder of the Army Discharge Review Board, St. Louis, Missouri, (iv) the Chairman of the Army Board on Correction of Military Records, (v) the Chief, Security Group, Intelligence Division, General Staff, United States Army, (vi) Personnel of the Counter Intelligence Corps, United States Army, (vii) The Adjutant General, (viii) the Commanding Officer, Records Administration Center, St. Louis, Missouri, (ix) the Chief, Repatriation Records Branch, Office of the Quartermaster General, (x) the Chief, Personnel Branch National Guard Bureau, (xi) The Adjutant General, Headquarters, First Army, (xii) the Executive Officer, Military Personnel Procurement Division Headquarters, Second Army, (xiii) the Records Administrator, Headquarters, Third Army, (xiv) the Adjutant General, Headquarters, Fourth Army, (xv) the Selective Service Liaison Officer, Headquarters, Fifth Army, (xvi) the Adjutant General, Headquarters, Sixth Army, (xvii) the Adjutant General, Headquarters, Military District of Washington, (xviii) the Executive Officer, Army Finance Center, (xix) an Agent of the Criminal Investigation Division, Office of the Provost Marshal General, or (xx) a Provost Marshal or an Agent of the Criminal Investigation Division of the Military District of Washington or of the First, Second, Third, Fourth, Fifth or Sixth Army.

(4) *Department of Labor.* The Department of Labor may obtain such information upon the request of (i) the Secretary of Labor, (ii) the Director, Division of Veterans' Reemployment Rights, (iii) the Liaison Officer, Division of Veterans' Reemployment Rights, (iv) a Field Representative, Division of Veterans' Reemployment Rights, or (v) an Assistant Field Representative, Division of Veterans' Reemployment Rights.

(5) *Post Office Department.* The Post Office Department may obtain such information upon the request of (i) the Postmaster General, (ii) the Chief Post Office Inspector, (iii) a Post Office Inspector in Charge, or (iv) a Post Office Inspector.

(6) *United States Civil Service Commission.* The United States Civil Service Commission may obtain such information upon the request of (i) a Commissioner, (ii) a Director or a Deputy Director of a Civil Service Commission Region, (iii) a Manager of a Civil Service Commission Branch Regional Office, (iv) a Veterans' Federal Employment Representative, (v) a Principal Civil Service Investigator, (vi) a Civil Service Investigator, or (vii) the Head Liaison Officer or a Liaison Officer, Veterans' Service Section.

(7) *United States Maritime Commission.* The United States Maritime Commission may obtain such information upon the request of (i) the Chairman, or (ii) the Chief of the Seaman's War-time Service Benefits Unit, Marine Division, Bureau of Operations.

(8) *Federal Security Agency.* The Federal Security Agency may obtain such information upon the request of (i) the Administrator, (ii) the Records Officer, (iii) the Director or the Acting Director, Bureau of Old Age and Survivors Insurance, (iv) a Regional Representative, Social Security Administration, (v) a Manager, Social Security Administration Field Office, or (vi) the Director, a Deputy Director, the Chief Investigator, or a Deputy Commissioner in Charge of a Compensation District in the Field, Bureau of Employees' Compensation.

(9) *Department of State.* The Department of State may obtain such information upon the request of (i) the Secretary of State, (ii) the Director, Office of Controls, (iii) the Chief, Division of Security and Investigation, (iv) the Chief, Visa Division, (v) the Chief, Passport Division, (vi) the Chief, Division of Foreign Activity Correlation, (vii) the Chief, Division of Protective Services, or (viii) a Special Agent of the Division of Security and Investigation.

(10) *Navy Department.* The Navy Department may obtain such information upon the request of (i) the Secretary of the Navy, (ii) the Records Officer, Executive Office of the Secretary, (iii) a Bureau Records Officer, (iv) a District Records Management Officer, (v) the Administrative Assistant, Medical Statistics Division, Bureau of Medicine and Surgery, (vi) the Director of Civilian Personnel, Office of the Chief of Naval Operations, (vii) the Assistant Chief, Division of Civilian Personnel, Bureau of Ships, (viii) the Chief, Special Services Branch, Personnel Department, Head-

quarters, United States Marine Corps, (ix) the Officer in Charge, Officer Performance Division, Personnel Department, Headquarters, United States Marine Corps, (x) the Officer in Charge, Enlisted Performance Division, Personnel Department, Headquarters, United States Marine Corps, (xi) an Agent of the Office of Naval Intelligence, (xii) an Agent of a District Intelligence Office, or (xiii) the Chief Clerk, Terminal Leave Disbursing Officer, Bureau of Supplies and Accounts.

(11) *Treasury Department.* The Treasury Department may obtain such information upon the request of (i) the Secretary of the Treasury, (ii) the Commissioner of Customs, (iii) the Chief, United States Secret Service, (iv) the Chief, Intelligence Unit, Bureau of Internal Revenue, (v) the Commissioner, Bureau of Narcotics, (vi) the Deputy Commissioner, Alcohol Tax Unit, (vii) a Supervising Customs Agent, (viii) a Supervising Agent, Secret Service, (ix) a Special Agent in Charge, Intelligence Unit, Bureau of Internal Revenue, (x) a District Supervisor, Bureau of Narcotics, (xi) a District Supervisor, Alcohol Tax Unit, Bureau of Internal Revenue, (xii) an Internal Revenue Agent in Charge, (xiii) a Collector of Internal Revenue, or (xiv) a Deputy Collector of Internal Revenue.

(12) *Federal Deposit Insurance Corporation.* The Federal Deposit Insurance Corporation may obtain such information upon the request of (i) the Chief, Division of Liquidation, or (ii) a Liquidator.

(13) *Tennessee Valley Authority.* The Tennessee Valley Authority may obtain such information upon the request of the Chief Personnel Officer.

(14) *Government Printing Office.* The Government Printing Office may obtain such information upon the request of the Assistant Director of Personnel.

(15) *Department of the Interior.* The Department of the Interior may obtain such information upon the request of (i) the Secretary of the Interior, (ii) the Under Secretary of the Interior, (iii) an Assistant Secretary of the Interior, (iv) the Assistant to the Secretary in Charge of Land Utilization, (v) the Supervising Field Representative, Office of the Secretary, (vi) the Director of Personnel, (vii) the Chief, Division of Administration, Bureau of Land Management, (viii) the Personnel Officer, Office of Indian Affairs, (ix) the Personnel Officer, Geological Survey, (x) the Chief Personnel Officer, the Chief of the Personnel Field Office, or a Regional Personnel Officer, Bureau of Reclamation, (xi) the Assistant Director, or the Personnel Officer, National Park Service, (xii) the Superintendent, National Capital Parks, (xiii) the Personnel Officer, Bureau of Mines, (xiv) the Director, or a Regional Director, Fish and Wildlife Service, or (xv) the Chief, Division of Administration and Personnel, Southwestern Power Administration.

(16) *Administrative Office of the United States Courts.* The Administrative Office of the United States Courts may obtain such information upon the request of a United States Probation Officer.

(17) *General Accounting Office.* The General Accounting Office may obtain such information upon the request of the Assistant Chief of the Claims Division.

§ 670.32 *Supplying information to officials and agencies of States, the District of Columbia, Territories and possessions of the United States.* (a) Information contained in records in a registrant's file may be disclosed or furnished to an official of any State, the District of Columbia, any Territory or possession of the United States, or any subdivision thereof, designated in paragraph (b) of this section, except that any information contained in records in a registrant's file relating to (1) his marital or dependency status, (2) his earnings or income, (3) his court or prison record, (4) his military service as shown in the Selective Service Questionnaire (DSS Form No. 40) and performed prior to the completion of such questionnaire, or (5) his physical or mental condition, or medical treatment shall not be so disclosed or furnished to any such official without the written consent of the registrant or the specific written authority of the Director of Selective Service. A request for information may be made in writing signed by such official or may be made in person by such official. Any information obtained under the provisions of this section by any official designated in paragraph (b) of this section shall, without exception, be used solely for the purposes of the public office held by such official or of the governmental agency in which he holds such office, and shall not be given to any other agency or person, and no person shall use any such information for any purpose other than for the purposes of the public office held by the official who obtained the information or of the governmental agency in which the official held such office. No official mentioned in this section shall be permitted to examine any record in a registrant's file without the written consent of the registrant or the specific written authority of the Director of Selective Service.

(b) Any official of any State, the District of Columbia, any Territory or possession of the United States, or any subdivision thereof, named hereafter in this paragraph is authorized to obtain information contained in records in a registrant's file under and subject to the provisions of paragraph (a) of this section.

(1) *State of Alabama.* The officials of the State of Alabama authorized to obtain such information are (i) the Adjutant General, (ii) the Director, Department of Industrial Relations, (iii) the Director, the Legal Advisor, and the Chief of the Claims Division, Department of Veterans' Affairs, and (iv) the Chairman, Board of Pardons and Paroles.

(2) *Territory of Alaska.* The Executive Director of the Unemployment Compensation Commission of the Territory of Alaska is authorized to obtain such information.

(3) *State of Arizona.* The officials of the State of Arizona authorized to obtain such information are (i) the Adjutant General, (ii) the Assistant Executive Officer of the Adjutant General's

Office, and (iii) the Director, Unemployment Compensation Division, Employment Security Commission.

(4) *State of Arkansas.* The officials of the State of Arkansas authorized to obtain such information are (i) the Adjutant General, (ii) the Assistant Adjutant General, (iii) the Personnel Officer of the Adjutant General's Department, and (iv) the Administrator, Employment Security Division, Department of Labor.

(5) *State of California.* The officials of the State of California and its subdivisions authorized to obtain such information are (i) the Adjutant General, (ii) the Director and the Deputy Director, Department of Veterans' Affairs, (iii) the Chairman, Employment Stabilization Commission, and (iv) the Chief of the Adult Division, the Director of Supervision, the Director of Investigations, Probation Officers and Deputy Probation Officers, Los Angeles County Probation Office.

(6) *State of Colorado.* The officials of the State of Colorado authorized to obtain such information are (i) the Adjutant General, (ii) the Executive Director, State Employment Office, (iii) the Warden, State Reformatory, (iv) the Director, State Mental Hospital, (v) the General Secretary, State Prison Board, (vi) the Secretary and the General Counselor of the Legal Aid Society, (vii) the Secretary, Civil Service Commission, and (viii) the Director, Department of Public Welfare.

(7) *State of Connecticut.* The officials of the State of Connecticut authorized to obtain such information are (i) the Adjutant General, (ii) the Executive Director, Employment Security Division, Department of Labor and Factory Inspection, (iii) the State Treasurer, (iv) the Administrator, Veterans' Bonus Division, (v) the Executive Director and the Director of Benefits, State Employment Security Division, (vi) the Librarian and the War Records Librarian of the Connecticut State Library, and (vii) the Personnel Director, the Chief of the Service Division, and the Chief of the Administrative Division, Civil Service Commission.

(8) *State of Delaware.* The officials of the State of Delaware authorized to obtain such information are (i) the Adjutant General, (ii) the Chief and the Assistant Chief of Benefits, Unemployment Compensation Commission, and (iii) the State Archivist.

(9) *District of Columbia.* The officials of the District of Columbia authorized to obtain such information are (i) the Director, Unemployment Compensation Board, (ii) the Chief of the Field Department, Unemployment Compensation Board, (iii) the Judge of the Juvenile Court, (iv) the Director of Adult Probation, Juvenile Court, (v) the Chief Probation Officer and the Assistant Chief Probation Officers, Municipal Court, (vi) the Director and the Assistant Director, Division of Services to Veterans and War Workers, (vii) the Supervisor of Medical Social Work, Hospital Permit Bureau, Health Department, (viii) the Chief of the Intake Service, and the Superintendent of the Public Assistance Division, Board of Public Wel-

fare, and (ix) the Assistant Superintendent, Metropolitan Police Department.

(10) *State of Florida.* The officials of the State of Florida authorized to obtain such information are (i) the Adjutant General, and (ii) the Chairman, Industrial Commission.

(11) *State of Georgia.* The officials of the State of Georgia authorized to obtain such information are (i) the Governor, (ii) the Executive Secretary, Executive Department, (iii) the Superintendent, Department of Education, (iv) the Director, Department of Welfare, (v) the Director, Department of Health, (vi) the Director, Department of Veterans' Service, (vii) the Adjutant General and the Assistant Adjutant General, State Military Department, (viii) the Commissioner, Department of Labor, (ix) the Director, Department of Archives, (x) the Director, Bureau of Public Administration, (xi) the Executive Director, Agricultural and Industrial Commission, and (xii) the Director, Department of Public Safety.

(12) *Territory of Hawaii.* The Assistant in Charge, Bureau of Unemployment Compensation of the Territory of Hawaii, is authorized to obtain such information.

(13) *State of Idaho.* The officials of the State of Idaho and its subdivisions authorized to obtain such information are (i) the Adjutant General, State Military Department, (ii) the Executive Director, Employment Security Agency, (iii) the Chairman and the Executive Secretary, Charitable Institutions Commission, (iv) the Director, Bureau of Vital Statistics, Department of Public Health, (v) the Commissioner and the Social Service Director, Department of Public Assistance, (vi) the Secretary and the Chief Clerk, Veterans' Welfare Commission, (vii) the Attorney General, and (viii) County Prosecuting Attorneys.

(14) *State of Illinois.* The officials of the State of Illinois and its subdivisions authorized to obtain such information are (i) the Adjutant General, (ii) the Commissioner of Placement and Unemployment Compensation, (iii) the Director and the Deputy Directors, Illinois Service Recognition Board, (iv) the Administrator and the Assistant Administrators, Illinois Veterans' Commission, (v) the Director, the Assistant Director, and the Superintendent and the Assistant Superintendent of the Division of Veterans' Service, Department of Public Welfare, (vi) the Chief Probation Officer, Adult Probation Department, Cook County, (vii) the Director and the Assistant Director, Department of Public Safety, (viii) the Director and the Assistant Director, Public Aid Commission, (ix) the Director, Cook County Bureau of Public Welfare, (x) the Commissioners, Chicago Welfare Commission, and (xi) the Chief and the Assistant Chief, Bureau of Missing Persons, Chicago Police Department.

(15) *State of Indiana.* The officials of the State of Indiana authorized to obtain such information are (i) the Adjutant General, (ii) the Assistant Chief of Staff and the Assistant Director of Personnel Records of the Adjutant General's Office, (iii) the Director, Employment

Security Division, (iv) the Director, the Assistant Director, County Service Officers, City Service Officers, and Community Service Officers, Department of Veterans' Affairs, (v) the Superintendent, the Executive Officer, Staff Captains, Lieutenants, Detective Sergeants, and Detectives of the Indiana State Police, (vi) the Director of Probation, the Chairman of the State Probation Commission, and Chief Probation Officers of the Juvenile, Criminal, Probate, Superior and City Courts, Indiana State Probation Department, (vii) the Director, Division of Public Assistance, Indiana State Department of Public Welfare, and (viii) the Secretary, Industrial Board of Indiana.

(16) *State of Iowa.* The officials of the State of Iowa authorized to obtain such information are (i) the Adjutant General, and (ii) the Chairman, Employment Security Commission.

(17) *State of Kansas.* The officials of the State of Kansas authorized to obtain such information are (i) the Adjutant General, (ii) the Executive Director, Employment Security Division, (iii) the Director and the First Special Agent, Kansas Bureau of Investigation, and (iv) the Director and the Assistant Director, Office of Veterans' Affairs.

(18) *State of Kentucky.* The officials of the State of Kentucky and its subdivisions authorized to obtain such information are (i) the Adjutant General, (ii) the Executive Director, Unemployment Compensation Commission, (iii) the Executive Secretary and the Assistant Executive Secretary, Disabled Ex-Servicemen's Board, (iv) the State Director, the Assistant State Director, and Field Workers, Welfare Department, (v) the State Superintendent and County and City Superintendents, Department of Education, (vi) the State Director and the Assistant State Director of Old Age Assistance, (vii) the State Director, the Assistant State Director, and Field Workers, Health Department, and (viii) the Directors, the Assistant Directors, and the Field Workers, County and City Health Departments.

(19) *State of Louisiana.* The officials of the State of Louisiana and its subdivisions authorized to obtain such information are (i) the Adjutant General, (ii) the Personnel Officer of the Office of the Adjutant General, (iii) the Administrator, the Director and the Assistant Director Unemployment Compensation Section, the Director and the Assistant Director Louisiana State Employment Service, the Executive Assistant, the Director Operations Analysis and Control, and Local Office Managers, Division of Employment Security, Department of Labor, (iv) the State Director and the Assistant State Director of Personnel, the Attorney, the Chief of the Examining Division, the Chief of the Transactions Division, the Chief of the Classification and Pay Division, and the Chief of the Training Division, Department of State Civil Service, (v) the Director and the Assistant Director of Institutions, and the Superintendents and the Assistant Superintendents of Hospitals, Training and Industrial Schools, Training Institutes, and Penitentiaries, Department of Institutions, (vi) the Commissioner of Public Welfare, the Director of Probation

and Parole, and Parish Directors, Department of Public Welfare, (vii) the Director, and Parish Service Officers, State Department of Veterans' Affairs, (viii) the Director of the Division of Public Health Statistics, the Chief of the Section of Maternal and Child Health, and the Chief of the Section of Venereal Disease Control, Department of Health, (ix) the Coordinator and the Assistant Coordinator of Veterans' Affairs, and the Director and the Assistant Director of the Veterans' Information Center, Department of Veterans' Affairs of the City of New Orleans, and (x) the Director of Personnel, the Chief of the Recruitment Division, and the Chief of the Transactions Division, Department of Civil Service of the City of New Orleans.

(20) *State of Maine.* The officials of the State of Maine authorized to obtain such information are (i) the Adjutant General, (ii) the Chairman, Unemployment Compensation Commission, and (iii) the State Director and the Administrator, Veterans' Assistance Program.

(21) *State of Maryland.* The officials of the State of Maryland authorized to obtain such information are (i) the Adjutant General, (ii) the Chairman, Department of Employment Security, and (iii) the Director, War Records Division, Maryland Historical Society.

(22) *State of Massachusetts.* The officials of the State of Massachusetts authorized to obtain such information are (i) the Adjutant General, (ii) the Director and the Manager of the Division of Employment Security, (iii) the State Treasurer, (iv) the Deputy State Treasurer for the Commonwealth of Massachusetts Bonus Division, (v) the Commissioner and the Agents, Veterans' Service Departments and Information Centers, and (vi) the Commissioner and the Agents, Bureau of Old Age Assistance and Public Welfare.

(23) *State of Michigan.* The officials of the State of Michigan authorized to obtain such information are (i) the Adjutant General, (ii) the Executive Director, Unemployment Compensation Commission, (iii) the Director, State Office of Veterans' Affairs, (iv) the Director, Department of Social Welfare, (v) the Commissioner of State Police, (vi) the Chairman, Social Welfare Commission, (vii) the Director of the Bureau of Pardons and Paroles, (viii) the Executive Secretary of the Board of Trustees, Michigan Veterans' Trust Fund, (ix) the Chairman of the Legal Aid Committee, Bureau of Legal Aid, (x) the Executive Officer of the State Board of Control for Vocational Education, (xi) the Commissioner, State Health Department, (xii) the Director of Corrections Commission, Bureau of Corrections, (xiii) the Secretary of State, and (xiv) the Attorney General.

(24) *State of Minnesota.* The officials of the State of Minnesota and its subdivisions authorized to obtain such information are (i) the Adjutant General, (ii) the Assistant Adjutant General, (iii) the Director, Division of Employment Security, (iv) the Commissioner and the Assistant Commissioner, Department of Veterans' Affairs, (v) the Chief and the Assistant Chief, State Highway Police, (vi) the Commissioner of Taxation, De-

partment of Taxation, (vii) County Service Officers, (viii) the Director and the Assistant Director, Division of Social Welfare, and (ix) the Director, State Department of Health.

(25) *State of Mississippi.* The officials of the State of Mississippi authorized to obtain such information are (i) the Adjutant General, (ii) the Executive Director, Unemployment Compensation Commission, (iii) a Commissioner, State Service Commission, (iv) the Director, Division of Vital Statistics, (v) the Commissioner, Department of Public Welfare, (vi) the Health Officer, Health Department, (vii) the Director, Bureau of Investigation, and (viii) the Director, Department of Archives and History.

(26) *State of Missouri.* The officials of the State of Missouri authorized to obtain such information are (i) the Adjutant General, (ii) the Director, Division of Employment Security, (iii) the Director, Division of Health, (iv) the Director, State Historical Society, (v) the Director, Division of Welfare, (vi) the Director, Department of Correction, and (vii) the Superintendent, State Highway Patrol.

(27) *State of Montana.* The officials of the State of Montana authorized to obtain such information are (i) the Adjutant General, (ii) the Chairman and the Deputy Chairman, Unemployment Compensation Commission, (iii) the State Service Officer and Service Officers, Veterans' Welfare Commission, (iv) the Director, the Supervisor of Guidance Training, and Placement and Rehabilitation Agents, Bureau of Vocational Rehabilitation, and (v) the Director of the Department of Public Welfare.

(28) *State of Nebraska.* The officials of the State of Nebraska authorized to obtain such information are (i) the Adjutant General, (ii) the Secretary of State, (iii) the Attorney General, (iv) the Commissioner of Labor, and the Director of the Division of Placement and Unemployment Insurance, Department of Labor, (v) the State Engineer, (vi) the Director of Health, (vii) the Superintendent of Public Safety, Law Enforcement and Patrol, (viii) the State Tax Commissioner, (ix) the Board of Control, (x) the Presiding Judge, Nebraska Workman's Compensation Court, (xi) the Executive Secretary, Nebraska Public Library Commission, (xii) the Director, Nebraska Merit System, and (xiii) the Secretary, Nebraska State Historical Society.

(29) *State of Nevada.* The officials of the State of Nevada authorized to obtain such information are (i) the Adjutant General, and (ii) the Executive Director, Employment Security Department.

(30) *State of New Hampshire.* The officials of the State of New Hampshire authorized to obtain such information are (i) the Adjutant General, (ii) the Administrator, Unemployment Compensation Division, (iii) the Commissioner, State Department of Public Welfare, (iv) the Health Officer, State Department of Health, (v) the Superintendent, State Department of Hospitals, (vi) the State Director, State Employment Office, and (vii) the Director of Probation, State Department of Probation.

(31) *State of New Jersey.* The officials of the State of New Jersey author-

ized to obtain such information are (i) the Chief of Staff and the Deputy Chief of Staff, State Department of Defense, (ii) the Executive Director, the Director of the Unemployment Compensation Division, and the Director of the Employment Service Division, Unemployment Compensation Commission, (iii) the Superintendent, Office of State Police, (iv) the Deputy Commissioner in Charge of Correction and Parole, the Assistant Director of the Parole Division, the Principal Keeper of the New Jersey State Prison, and the Superintendents of Prison Farms, Reformatories, and State Homes, State Department of Institutions and Agencies, (v) the Director, Division of Veterans' Services, Department of Economic Development, (vi) the Commissioner, Department of Labor, (vii) the Commissioner, Motor Vehicle Department, (viii) the President, and the Director of the Division of Administrative Services, State Civil Service Commission, and (ix) the Chairman-Director, Rehabilitation Commission for Physically Handicapped Persons.

(32) *State of New Mexico.* The officials of the State of New Mexico authorized to obtain such information are (i) the Adjutant General, (ii) the Chairman-Executive Director, Employment Security Commission, (iii) the Director, Department of Public Health, (iv) the Director, State Employment Service, (v) the Director of Veterans' Affairs, New Mexico Veterans' Service Commission, and (vi) the Executive Secretary, War Records Library, Museum of New Mexico.

(33) *State of New York.* The officials of the State of New York and its subdivisions authorized to obtain such information are (i) the Adjutant General, (ii) the Assistant Adjutant General, (iii) the Executive Officer of the Adjutant General's Office, (iv) the Executive Director and the Chief Investigator, Division of Placement and Unemployment Insurance, (v) the Commissioner and the Parole District Supervisors, Division of Parole, (vi) the State Director, the Deputy State Director, the Director of Research Training, the Counsel to the Division, the Special Counsel, New York City, the Area Veteran Director, Albany, the Area Veteran Director, Buffalo, and the Area Veteran Director, New York City, Division of Veterans' Affairs, (vii) the Director, Bureau of Research, Division of Housing, (viii) the Chief Inspector, Division of State Police, (ix) the Director and the Assistant Director, Veterans' Bonus Bureau, Department of Taxation and Finance, (x) the Deputy Commissioner for Welfare and Medical Care, Department of Social Welfare, (xi) the Assistant Commissioner, Department of Mental Hygiene, (xii) the First Deputy Industrial Commissioner and the Associate Personnel Administrator, Department of Labor, (xiii) the Director of the Division of Public Assistance to Veterans, the Director of Field Operations and Service, the Director of the Division of Foster Care, and the Director of the Division of Day Care, New York City Department of Welfare, (xiv) the Commissioner, New York City Department of Hospitals, (xv) the District Attorney, New York County, (xvi) the Corporation Counsel, the Acting Corporation Counsel, and the Chief

Clerk, New York City Department of Law, (xvii) the Chief, Bureau of Investigation, New York City Civil Service Commission, (xviii) the Chief Inspector, the Chief of Detectives and the Commanding Officer of the Police Academy, New York City Police Department, (xix) the Executive Director of Veterans' Activities, Manhattan, and the Executive Director of Veterans' Activities, Brooklyn, New York City Veterans' Service Centers, (xx) the Chief of Personnel, New York City Housing Authority, and (xxi) the Senior Civil Service Investigator, State Civil Service Commission.

(34) *State of North Carolina.* The officials of the State of North Carolina authorized to obtain such information are (i) the Adjutant General, (ii) the Assistant Adjutant General, (iii) the Chairman, Employment Security Commission, (iv) the Commissioner of Paroles, the Assistant Commissioner of Paroles, the Chief Parole Investigator, the Parole Investigators, and the Chief of Supervision, North Carolina Parole Commission, (v) the Director, the Assistant Director, and the Assistant State Service Officers, North Carolina Veterans' Commission, (vi) the Director and the Assistant Director of State Probation Officers, North Carolina Probation Commission, and (vii) the Commissioner, the Director of Public Assistance, and the Director of Field Service, State Board of Public Welfare.

(35) *State of North Dakota.* The officials of the State of North Dakota and its subdivisions authorized to obtain such information are (i) the Adjutant General, (ii) the Assistant Adjutant General, (iii) the Director, Unemployment Compensation Division, (iv) the Commissioner of Veterans' Affairs, and (v) County Veterans' Service Officers.

(36) *State of Ohio.* The officials of the State of Ohio authorized to obtain such information are (i) the Adjutant General, (ii) the Commissioner of Soldiers' Claims of the Adjutant General's Office, (iii) the Administrator, Bureau of Unemployment Compensation, (iv) the Director, Department of Public Welfare, and (v) the Director and the Deputy Director, Ohio World War II Compensation Fund.

(37) *State of Oklahoma.* The officials of the State of Oklahoma authorized to obtain such information are (i) the Adjutant General, (ii) the Executive Director, Employment Security Commission, and (iii) the Director, the Supervisor of the Division of Public Assistance, and Directors of County Departments, Department of Public Welfare.

(38) *State of Oregon.* The officials of the State of Oregon authorized to obtain such information are (i) the Adjutant General, (ii) the Assistant Adjutant General, (iii) the Executive Officer, the Personnel Adjutant, and the Assistant Personnel Adjutant of the Military Department, (iv) the Administrator, Unemployment Compensation Commission, and (v) the Director, State Department of Veterans' Affairs.

(39) *State of Pennsylvania.* The officials of the State of Pennsylvania authorized to obtain such information are (i) the Adjutant General, the Deputy

Adjutant General, the Executive Officer, and the State Service Officer, The Adjutant General's Department, (ii) the Special Deputy Attorney General and the Chief of the Benefit Payment Section, Bureau of Unemployment Compensation, Department of Labor and Industry, (iii) the Executive Director, the Chief Archivist, and the Chief Historian, Pennsylvania Historical Commission, (iv) the Commissioner and the Deputy Commissioner of the Pennsylvania State Police, and (v) the Chairman of the Board, a Member of the Board, the Superintendent and the Assistant Superintendent of Parole Supervision, and the Supervisors, Pennsylvania Board of Parole.

(40) *Puerto Rico.* The officials of Puerto Rico authorized to obtain such information are (i) the Executive Secretary of Puerto Rico, (ii) the Adjutant General, (iii) the Chief of Insular Police, (iv) the Commissioner of Health, (v) the Director of the Personnel Office, and (vi) the Chief, Readjustment Accounts Section.

(41) *State of Rhode Island.* The officials of the State of Rhode Island authorized to obtain such information are (i) the Adjutant General, (ii) the Chairman, Unemployment Compensation Board, (iii) the Director, State Department of Social Welfare, (iv) the Director, State Department of Labor, (v) the Director, State Civil Service Commission, (vi) the Superintendent and the Executive Officer, Rhode Island State Police, and (vii) the Director, State Department of Education.

(42) *State of South Carolina.* The officials of the State of South Carolina authorized to obtain such information are (i) the Adjutant General, (ii) the Assistant Adjutant General, (iii) the Executive Director, Employment Security Commission, (iv) the State Service Officer, the Assistant State Service Officer, and Field Investigators, State Service Bureau, (v) the Director and the Supervisor of Paroles, State Probation, Pardon and Parole Board, (vi) the Chief and the Assistant Chief, Division of Public Assistance, Department of Public Welfare, and (vii) the Chief, Division of Child Welfare Services, Department of Public Welfare.

(43) *State of South Dakota.* The officials of the State of South Dakota authorized to obtain such information are (i) the Adjutant General, (ii) the Commissioner, Employment Security Department, (iii) the Director, Department of Social Security, (iv) the State Historian of the State Historical Society, and (v) the Director, Department of Veterans' Affairs.

(44) *State of Tennessee.* The officials of the State of Tennessee authorized to obtain such information are (i) the Adjutant General, and (ii) the Commissioner, Department of Employment Security.

(45) *State of Texas.* The officials of the State of Texas authorized to obtain such information are (i) the Adjutant General, (ii) the Chairman-Executive Director, Employment Commission, and (iii) the Director, Department of Public Safety.

(46) *State of Utah.* The officials of the State of Utah authorized to obtain

such information are (i) the Adjutant General, (ii) the Executive Director, Department of Employment Security, (iii) the Director, Department of Veterans' Affairs, and (iv) the Executive Secretary, State Historical Society.

(47) *State of Vermont.* The officials of the State of Vermont authorized to obtain such information are (i) the Adjutant General, (ii) the Chairman, Unemployment Compensation Commission, (iii) the Secretary, Department of Public Health, (iv) the Commissioner of Social Welfare, Department of Social Welfare, and (v) the State Treasurer.

(48) *State of Virginia.* The officials of the State of Virginia authorized to obtain such information are (i) the Adjutant General, (ii) the Assistant Adjutant General, (iii) a Commissioner, Unemployment Compensation Commission, (iv) the Superintendent of the Division of Inspection, Alcoholic Beverage Control Board, (v) the Superintendent of Public Instruction, Department of Education, (vi) the Chief, Bureau of Investigation and Records, Virginia State Police, and (vii) the Director, World War Two History Commission.

(49) *Virgin Islands.* The Superintendent of the Police Department of the Virgin Islands is authorized to obtain such information.

(50) *State of Washington.* The officials of the State of Washington authorized to obtain such information are (i) the Adjutant General, (ii) the Assistant Personnel Officer of the Adjutant General's Office, (iii) the Commissioner, Employment Security Department, (iv) the Chief, Division of Parole and Probation, (v) the Director, Veterans' Rehabilitation Council, (vi) the Director, and the County Welfare Administrators, Department of Public Welfare, and (vii) the Director of the Department of Health.

(51) *State of West Virginia.* The officials of the State of West Virginia authorized to obtain such information are (i) the Adjutant General, (ii) the Director, Department of Unemployment, and (iii) the Director, Department of Veterans' Affairs.

(52) *State of Wisconsin.* The officials of the State of Wisconsin and its subdivisions authorized to obtain such information are (i) the Adjutant General, (ii) the Chairman, Industrial Commission, (iii) County Veterans' Service Officers, (iv) the Director, Department of Public Welfare, and (v) the Director, Department of Veterans' Affairs.

(53) *State of Wyoming.* The officials of the State of Wyoming authorized to obtain such information are (i) the Adjutant General, and (ii) the Executive Director, Employment Security Commission.

The foregoing Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

AUGUST 6, 1948.

[F. R. Doc. 48-7267; Filed, Aug. 11, 1948; 8:49 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

PART 162—LIST OF ORDERS CREATING AND MODIFYING GRAZING DISTRICTS OR AFFECTING PUBLIC LANDS IN SUCH DISTRICTS

OREGON

CROSS REFERENCE: For order which takes precedence over but does not modify the orders of the Secretary and the Assistant Secretary of the Interior of April 3, 1935, and October 13, 1947, establishing Oregon Grazing District No. 4 and transferring certain lands to Oregon Grazing District No. 3, which were noted in the tabulation contained in § 162.1, see Federal Register Document 48-7250 in the Notices section withdrawing designated lands in Oregon for Air-Navigation Site Withdrawal No. 252.

Appendix—Public Land Orders

[Public Land Order 510]

ARKANSAS

WITHDRAWING PUBLIC LANDS FOR FLOOD CONTROL PURPOSES

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights, the following-described public lands are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for use in connection with the construction of the Narrows Reservoir Project, Little Missouri River, Arkansas, under the supervision of the Department of the Army as authorized by the act of August 18, 1941, 55 Stat. 638, 645:

FIFTH PRINCIPAL MERIDIAN

T. 7 S., R. 25 W.,
Sec. 7, lot 4 of the NW¼.
T. 6 S., R. 26 W.,
Sec. 36, NE¼NE¼.

The areas described aggregate 80 acres.

This order shall take precedence over but not modify the withdrawal made by Executive Order No. 6964 of February 5, 1935, as amended.

It is intended that the public lands described herein shall be returned to the administration of the Department of the Interior when they are no longer needed for the purpose for which they are withdrawn.

C. GIRARD DAVIDSON,
Assistant Secretary of the Interior.

AUGUST 4, 1948.

[F. R. Doc. 48-7246; Filed, Aug. 11, 1948; 8:45 a. m.]

[Public Land Order 511]

CALIFORNIA

WITHDRAWING PUBLIC LANDS FOR USE OF THE DEPARTMENT OF THE ARMY FOR MILITARY PURPOSES

By virtue of the authority vested in the President and pursuant to Execu-

tive Order No. 9337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights, the public lands in the following-described areas are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for the use of the Department of the Army for military purposes:

MOUNT DIABLO MERIDIAN

T. 29 S., R. 12 E.,
Sec. 31, lot 3;
Sec. 32, E $\frac{1}{2}$ NE $\frac{1}{4}$;
Sec. 33, NE $\frac{1}{4}$ NW $\frac{1}{4}$.

The areas described, including both public and non-public lands, aggregate 125.21 acres.

It is intended that the lands described herein shall be returned to the administration of the Department of the Interior when they are no longer needed for the purpose for which they are reserved.

C. GIRARD DAVIDSON,
Assistant Secretary of the Interior.

AUGUST 4, 1948.

[F. R. Doc. 48-7248; Filed, Aug. 11, 1948;
8:45 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

Subchapter B—Carriers by Motor Vehicle

[Ex Parte MC-29]

PART 178—SPECIAL OR CHARTERED PARTIES BY COMMON CARRIER

SPECIAL OR CHARTERED PARTY SERVICE

At a session of the Interstate Commerce Commission, Division 5, held at its

office in Washington, D. C., on the 26th day of July A. D. 1948.

It appearing, that on May 29, 1941, Division 5 entered its report, 29 M. C. C. 25, and order in the above-entitled proceeding (49 CFR, Cum. Supp., Part 178) prescribing certain rules governing the transportation of special or chartered parties by common carriers of passengers by motor vehicle subject to the provisions of the Interstate Commerce Act;

It further appearing, that, by orders entered September 4, 1947, and October 6, 1947, the said proceeding was reopened solely to determine whether Rule V (1) should be changed or modified in any respect, and assigned for further hearing;

And it further appearing, that a full investigation of the said matters and things has been made, and that the said division, on the date hereof, has made and filed a report herein containing its findings of fact and conclusions thereon, which report is hereby made a part hereof;¹

It is ordered, That Rule V (1) set forth in the appendix to the said report of May 29, 1941, and the order therein (49 CFR, Cum. Supp., 178.5 (a)) be, and they are hereby modified, and that the rule set forth in appendix B of the report decided July 26, 1948, be, and it is hereby prescribed and promulgated to become effective on and after September 1, 1948.

§ 178.5 *General provisions.* Every common carrier of passengers by motor vehicle, subject to the regulations in this part, shall be governed by the following general provisions:

(a) *Deadhead mileage.* Carriers shall publish in tariffs, lawfully on file with this Commission, reasonable rates or charges applicable in connection with the transportation of special or chartered parties within the meaning of section

208 (c) for deadhead mileage which shall be the mileage, over the shortest practical highway route, traversed by the bus without passengers from the nearest point at which equipment is held out to be available to the place where the chartered party originates, and from the place of discharge of such party to (1) the nearest point where equipment is held out to be available, or (2) the equipment-availability point nearest the origin point of the chartered party: *Provided, however,* That in no case shall the loaded or deadhead mileage rates for the one-way transportation of chartered parties exceed the loaded or deadhead mileage rates, respectively, contemporaneously maintained on corresponding round-trip movements. Such tariffs shall name the points at which the carrier holds out to have equipment available for special or chartered party service, and no equipment shall be held out as available at any point not an authorized on-route or off-route point. The tariffs also shall clearly specify the movements, if any, governed by subparagraph (1) of this paragraph, and, separately, those, if any, governed by subparagraph (2) of this paragraph. (49 Stat. 552; 49 U. S. C. 308 (c))

Notice of this order shall be given to the general public by depositing a copy hereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

By the Commission, Division 5.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 48-7263; Filed, Aug. 11, 1948;
8:48 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE TREASURY

Bureau of Internal Revenue

[26 CFR, Part 184]

PRODUCTION OF BRANDY

NOTICE OF PROPOSED RULE MAKING

A notice is hereby given, pursuant to the Administrative Procedure Act, approved June 11, 1946, that the regulations set forth in tentative form below are proposed to be prescribed by the Commissioner of Internal Revenue with the approval of the Secretary of the Treasury. Prior to the final adoption of such regulations, consideration will be given to any data, views or arguments pertaining thereto which are submitted in writing, in duplicate, to the Commissioner of Internal Revenue, Washington 25, D. C., within the period of 30 days from the date of this notice in the **FEDERAL REGISTER**. The proposed regulations are to be issued under the authority of sections 2800, 2808, 2810, 2812, 2814, 2815 (b), 2816, 2819, 2822, 2823, 2829, 2834,

2835, 2873, 2904, 3170, 3176, 3254 (g) and 4041 of the Internal Revenue Code (U. S. C., Title 26, sections 2800, 2808, 2810, 2812, 2814, 2815 (b), 2816, 2819, 2822, 2823, 2829, 2834, 2835, 2873, 2904, 3170, 3176, 3254 (g) and 4041).

[SEAL]

STEWART BERKSHIRE,
Acting Commissioner
of Internal Revenue.

1. Regulations 5 approved February 28, 1940 (26 CFR, Part 184) are amended in these respects:

(a) Sections 184.9, 184.10, 184.111, 184.138 (a) (2), 184.138 (b) (3), 184.155, 184.155a and 184.392 are revoked.

(b) Sections 184.7, 184.8, 184.11, 184.15, 184.16, 184.17, 184.35, 184.40, 184.41, 184.54, 184.60, 184.64, 184.65, 184.66, 184.67c, 184.67d, 184.67e, 184.79, 184.106, 184.107, 184.110, 184.112, 184.113, 184.117, 184.118, 184.119, 184.123 (a) (2), 184.128, 184.129, 184.130, 184.131, 184.133, 184.134, 184.135 (a) (3), 184.139 (a) (b), 184.140 (b), 184.141, 184.141a, 184.148, 184.150,

184.153, 184.156, 184.246 and 184.391 are amended.

2. These amendments are designed to simplify certain requirements relating to construction and the preparation, filing and approval of documents in connection with the establishment and operation of fruit distilleries.

§ 184.7 *Within 600 feet of rectifying plant.* No fruit distiller shall carry on the business of distilling brandy at a distance of less than 600 feet in a direct line from a rectifying plant, except when he has been so authorized by the district supervisor. The district supervisor may grant such authority when he is of the opinion that the revenue will not be endangered thereby. (Secs. 2819, 3170, 3176, I. R. C.)

§ 184.8 *Special application.* A person desiring to operate a fruit distillery within 600 feet of a rectifying plant shall file a special application, in triplicate, for such privilege with the district supervisor. The application shall state the

¹ Filed as part of the original document.

location of the fruit distillery and the rectifying plant, the distance between the premises, the name of the proprietor of the rectifying plant, a description of any connecting pipe lines, the reason for locating the distillery within 600 feet of the rectifying plant and any additional information which the district supervisor may require. The district supervisor will take action on such application in accordance with the procedure prescribed in § 184.141. (Secs. 2819, 3170, 3176, I. R. C.)

§ 184.11 *Changes requiring approval.* Where there is to be a change in the distance between a fruit distillery and a rectifying plant located within 600 feet of each other, as a result of the extension or curtailment or other change of either premises, a new special application, in triplicate, must be filed with the district supervisor by the proprietor of the premises which is to be extended or curtailed. Where a change occurs in the proprietorship of a fruit distillery or rectifying plant located within 600 feet of each other, the new proprietor shall file with the district supervisor a new special application, in triplicate. Unless the fruit distillery premises are extended or curtailed as the result of such change, the change may be reflected in the next amended or annual notice, Form 27½, and plat, filed by the distiller. Such new special application shall be considered and disposed of in accordance with the procedure prescribed in § 184.141. (Secs. 2819, 3170, 3176, I. R. C.)

§ 184.15 *Walls.* The outside walls of distillery buildings must be securely and substantially constructed. If wood, corrugated iron, or tin is used, the same must be applied over solid sheathing for the first 12 feet of height and over solid sheathing or sheathing spaced not greater than 12 inches from board to board for the remaining height. Where substantial sheet metal is used and the sheets are welded together in such manner as to constitute a solid wall, sheathing may be applied in any manner desired. The ceiling and walls inside of the receiving room and brandy deposit room must be cased with matched tongue and groove boards, unless the use of other material affording equal protection from access without detection is approved by the Commissioner. (Sec. 3176, I. R. C.)

§ 184.16 *Roofs.* The roofs of distillery buildings must be securely and substantially constructed. Where corrugated iron or tin is used, the same must be applied over sheathing spaced not greater than 12 inches from board to board. Where substantial sheet metal is used and the sheets are welded together in such a manner as to constitute a solid roof, sheathing may be applied in any manner desired. (Sec. 3176, I. R. C.)

§ 184.17 *Doors.* The outside doors of the distillery buildings must be securely and substantially constructed and equipped so that they may be securely locked. In addition, the doors of receiving rooms, brandy deposit rooms and other rooms required to be locked by

§ 184.435 must comply with the following requirements: The outside doors, and those on which Government locks are required, as hereinafter provided, must be securely constructed of heavy timber or iron, or other equally substantial material. The hinges must be secured by roundheaded or carriage bolts, nutted and riveted or battered on the inside. Hinges that cannot be thus secured must be inaccessible from the outside and so attached that they cannot be removed when the doors are closed. The outside doors, and those on which Government locks are required, must be equipped with hasp and staple securely fastened on the inside so that they may be securely locked. The doors secured from the inside must be provided with a cross bar in the middle of the door and, in addition thereto, with strong and suitable attachments for the reception of locks. Where there are double doors, one of them at least must be provided with substantial bolts at both the top and the bottom. These bolts must be so arranged as to plunge into substantial fastenings or holes in the middle of the upper and lower ends of the frame when the door is closed. Folding doors of wood or metal, vertical or horizontal sliding doors of wood or metal, and metal doors of the roller blind type, must be provided with substantial cross bars or bolts that plunge into the upper and lower ends or the sides of the door frame, so placed as to make the door rigid and secure, unless the doors operate in grooves or tracks that make them secure. (Sec. 3176, I. R. C.)

§ 184.35 *Construction of weighing tanks.* Weighing tanks shall be constructed of metal and shall be stationary and of uniform dimensions from top to bottom, and each such tank shall be equipped with a suitable measuring device whereby the contents will be correctly indicated. The inlet and outlet pipe connections of each weighing tank must be fitted with valves so constructed that they can be secured with Government locks, and any other openings in such tanks must also be so constructed that they can be closed and similarly locked. Each weighing tank shall be mounted on accurate scales and shall have plainly and legibly painted thereon the words "Weighing Tank," followed by its serial number and the capacity in wine gallons. The beams or dials of weighing tank scales must indicate weight in 5 pound graduations for scales up to and including 25 tons capacity, in 10 pound graduations for scales exceeding 25 tons capacity but not exceeding 60 tons capacity and in 20 pound graduations for scales having a capacity of more than 60 tons. If a receiving room or brandy deposit room is provided, the weighing tank will be located in such room. (Secs. 2808, 2823, 3176, I. R. C.)

§ 184.40 *Washwater receiving tanks.* If carbon dioxide gas is recovered, and the washwater is to be utilized in the manufacture of brandy, there must be provided a sufficient number of washwater receiving tanks, which shall be constructed of metal and be of uniform dimensions from top to bottom. Each

such tank shall be equipped with a suitable measuring device whereby the actual contents will be correctly indicated. There must be painted on each tank the words, "Washwater Receiving Tank," followed by its serial number and the capacity in wine gallons. The outlet valve must be equipped for locking with a Government lock. If the washwater is not used in the manufacture of brandy, as provided by § 184.240, washwater receiving tanks need not be installed. (Secs. 2829, 3176, I. R. C.)

§ 184.41 *Stills.* The stills must be of substantial construction and must have a clear space of not less than 1 foot around them. The steam or fuel line to each still shall be equipped with a valve so constructed that it may be locked with a Government lock when the distillery is suspended, as required by § 184.384. The drain and washout pipes of stills must also, whenever practicable, be equipped with valves so constructed that they may be locked with Government locks. If there is a furnace under the stills or doublers, the door thereto must, as provided in such section, be so constructed that it may be secured with a Government lock. There must be a clear space of not less than 2 feet around every doubler and condenser or worm tank. The doubler and worm tank must be elevated not less than 1 foot from the floor. Every still must be numbered, commencing with number 1, and have painted thereon its designated use, such as "Beer still," "Doubler," etc., and its number and spirit producing capacity in proof gallons in 24 hours, computed in accordance with the rules set forth in the appendix to the regulations in this part. Where the still is insulated or the manufacturer's serial number is otherwise obscured, such number will likewise be painted on the covering of the still. (Secs. 2822, 3176, I. R. C.)

§ 184.54 *Colors for pipe lines.* The pipe lines in the fruit distillery used for conveying the following substances shall be kept painted in the colors indicated:

Black-----	Brandy or other finished spirits.
Blue-----	Vapor, singlings, high wines and low wines, or other unfinished spirits.
Red-----	Fermented mash or wine.
Gray-----	Must or other unfermented material.
Brown-----	Slop.
Yellow-----	Fusel oil.
White-----	Water.
Aluminum--	Steam.
Orange-----	Air.
Olive green--	Carbon dioxide gas.

These colors are intended for such pipe lines only and are prescribed for the purpose of distinguishing such pipe lines from each other and from all other pipe lines on the premises which are painted but for which colors are not prescribed. The painting in one of the prescribed colors, or a color similar thereto, of a pipe line for which a color is not prescribed is prohibited. Pipe lines for which colors are not prescribed may be painted in sections of contrasting colors. (Secs. 2822, 3176, I. R. C.)

§ 184.60 *Description of premises.* The lot or tract of land on which the distillery is situated must be described on Form

27½ by courses and distances, in feet and inches, with the particularity required in conveyances of real estate. If the distillery premises consists of two or more lots or parcels, the condition of the title to which is not the same, the entire distillery premises shall be first described, followed by a separate description by courses and distances, in feet and inches, of each such lot or parcel. The continuity of the distillery premises must be unbroken, except that the premises may be divided by a public street or highway, if parts of the premises so divided abut on such street or highway, opposite each other. The premises may be similarly divided by a railroad right of way, if the railroad is a common carrier. In such cases, each tract of land constituting the distillery premises shall be described separately on the form. (Secs. 2812, 3176, I. R. C.)

§ 184.64 *Condition of title to premises.* The condition of title to the premises shall be shown on Form 27½. If the distiller is the owner of the premises in fee, unencumbered, it shall be so stated. If the distiller is not the owner in fee, unencumbered by any mortgage, judgment, lien, or other encumbrance of the lot or tract of land on which the distillery is situated, the name and address of the owner of the fee and of any mortgage, judgment-creditor, and of any person having a lien or encumbrance, and of all prior lessees thereon, shall be stated. Where the written consent of the owner of the fee and of any mortgagees, judgment-creditors, lienors, encumbrancers, or lessees, is filed, as provided in § 184.67a, or where an indemnity bond is filed in lieu of such written consent, as provided in §§ 184.67d and 184.67e, such fact, together with information as to the kind, date, and amount of the encumbrance and the balance due thereon, shall be shown on the Form 27½ in connection with the statement of the present condition of the title. If the premises are occupied under a lease, the name of the owner, the name of the lessor, the length of the term, and the date of its expiration, shall be stated. (Secs. 2800 (e) (1), 2812, 2815 (b), 3176, I. R. C.)

§ 184.65 *Condition of title to apparatus and equipment.* The distiller's title to, or interest in, the distilling apparatus and equipment shall be shown on Form 27½. If the distiller is not the owner of such apparatus and equipment, unencumbered by any mortgage, judgment, lien, or other encumbrance, the name and address of the owner thereof and of any mortgagee, judgment-creditor, lienor or encumbrancer, or conditional sales vendor, shall be stated. Where the written consent of the owner and of the mortgagees, judgment-creditors, lienors, or other encumbrancers, or conditional sales vendors, is filed, as provided in § 184.67a, or where an indemnity bond is filed in lieu of such written consent, as provided in §§ 184.67d and 184.67e, such fact, together with information as to the kind, date, and amount of the encumbrance and the balance due thereon, or, if the apparatus was purchased under a conditional sales contract, or other form of title retaining contract, the purchase

price and the balance due shall be shown in connection with the statement of the distiller's title to, or interest in, the property. (Secs. 2800 (e) (1), 2812, 2815 (b), 3176, I. R. C.)

§ 184.66 *Distance from rectifying plant or vinegar factory.* If the distillery premises are situated more than 600 feet in a direct line from any premises authorized to be used for rectifying spirits, or from a vinegar factory using the vaporizing process, such fact shall be stated on Form 27½. If the distance between the distillery premises and the premises of a rectifying plant is less than 600 feet in a direct line, there must be stated in the notice, Form 27½, the name of the proprietor of the rectifying plant, the exact distance in feet and inches between the distillery and the rectifying plant, and whether the location of the distillery within such distance of the rectifying plant has been approved by the district supervisor. If such location of the distillery has been approved by the district supervisor, the date of such approval shall be given. If the distance between the distillery premises and a vinegar factory using the vaporizing process is less than 600 feet in a direct line, such fact and the date of the establishment of the vinegar factory shall be stated on the form. (Secs. 2812, 2819, 2834, 2835, 3170, 3176, I. R. C.)

§ 184.67c *Application.* The application shall contain (a) an accurate description of the lot or tract of land on which the distillery is situated, and of the distillery, the buildings, and the distilling apparatus and equipment thereon; (b) a full and clear statement of the condition of the title to the premises and apparatus and equipment, including the name and address of the owner and of all mortgagees, judgment-creditors, conditional sales vendors, prior lessees, and other persons having liens or encumbrances thereon, the kind, date, and amount of each encumbrance and the balance due thereon, and, in the case of apparatus and equipment purchased under a conditional sales contract, or other form of title retaining contract, the purchase price and the balance due; and (c) a full and clear statement of the reasons why the applicant cannot obtain the prescribed written consent. The district supervisor will take action on such application in accordance with the procedure prescribed in § 184.141a. (Secs. 2815 (b), 3170, 3176, I. R. C.)

§ 184.67d *Bond, Form 3-A.* If the application is approved, the distiller shall execute bond on Form 3-A, "Bond of Indemnity in Favor of the United States," in triplicate, in conformity with the applicable provisions of §§ 184.83 to 184.103, inclusive, and file the same with the district supervisor. The penal sum of the bond shall be equal to the appraised value of the lot or tract of land on which the distillery is situated, the distillery, the buildings, and the distilling apparatus. If, after such bond is filed, the value of the distillery premises, buildings or distilling apparatus is increased by additional land, buildings or distilling apparatus, an additional bond on such form to cover the increase in value will

be required: *Provided*, That if such increase in value is less than \$1,000 no additional bond will be required. In the event of a failure of bond on Form 3-A the distiller will be no longer qualified. The appraisal shall be made in accordance with the provisions of § 184.67f. (Secs. 2815 (b), 3176, I. R. C.)

§ 184.67e *Bond in lieu of consent where distillery is sold for United States.* Where a distillery is sold at a judicial or other sale in favor of the United States, the distiller may give bond on Form 3-A in lieu of the consent of the person possessing the right of redemption and of any mortgagee, judgment-creditor, lienor, prior lessee, or other encumbrancer, and be allowed, upon complying with all other provisions of law and the regulations, in this part to operate the distillery during the existence of the right of redemption from such sale. A distiller desiring to give bond in such case shall file application, in triplicate, with the district supervisor for permission so to do. The application shall contain a full and clear statement of the condition of the title, including the name and address of the person having the right of redemption and of all encumbrancers, the kind, date, and amount of each encumbrance, the date of the sale and the date of expiration of the right of redemption. The penal sum of the bond shall be equal to the appraised value of the lot or tract of land on which the distillery is situated, together with the buildings and distillery apparatus. If, after such bond is filed, the value of the distillery premises, buildings or distilling apparatus is increased by additional land, buildings or distilling apparatus, an additional bond on such form to cover the increase in value will be required: *Provided*, That, if such increase in value is less than \$1,000, no additional bond will be required. The appraisal shall be made in accordance with the provisions of § 184.67f. (Secs. 2815 (b), 3176, I. R. C.)

§ 184.79 *Statement of process.* There must be submitted to the district supervisor with the fruit distiller's original notice, Form 27½, a statement of process, in triplicate. Upon any change in the process, a new statement, in triplicate, must be filed with the district supervisor who will forward all copies to the Commissioner in accordance with § 184.148. Reference by date to the current statement of process must be incorporated in each annual notice, Form 27½. The statement of process should present a step by step description of the mashing, fermenting, distilling, purifying and refining processes used in the production of each type of brandy. It must show specifically the kind and quantity or proportion of all nonalcohol producing materials or substances added to the distilling material for the purpose of providing yeast food or for inhibiting the action of wild yeast, or for any other purpose, and all materials used for purifying, refining or otherwise treating the spirits. Samples of any such material or substance will be prepared and furnished to the district supervisor, upon request, for analysis by Government chemists. Materials or chemicals which are volatile and would remain incorpo-

rated with the finished brandy after final distillation may not be used. (Secs. 3176, 3254 (g), I. R. C.)

§ 184.106 *Preparation.* Every plat and plan shall be drawn to scale and each sheet thereof shall bear a distinctive title, enabling ready identification. The cardinal points of the compass must appear on each sheet, except the elevational plans. The minimum scale of any plat will not be less than 1/50 inch per foot. Each sheet of the original plat and plans shall be numbered, the first sheet being designated number 1 and the other sheets numbered in consecutive order. Plats and plans shall be submitted on sheets of tracing cloth, opaque cloth, or sensitized linen. The dimensions of plats and plans shall be 15 by 20 inches, outside measurement, with a clear margin of at least 1 inch on each side of the drawing, lettering or writing. Plats and plans may be original drawings, or reproductions made by the "ditto process," or by blue or brown line lithoprint, if such reproductions are clear and distinct. (Secs. 2816, 3176, I. R. C.)

§ 184.107 *Depiction of distillery premises.* Plats must show the outer boundaries of the distillery premises by courses and distances, in feet and inches, in a color contrasting with those used for other drawings on the plat, and the point of beginning with respect to its distance and bearings from some near and well-known landmark, and must contain an accurate depiction of the building or buildings comprising the premises and any drive way, public highway or railroad right of way adjacent thereto or connecting therewith. The depiction of the premises shall agree with the description in the notice, Form 27½. If the distillery premises consists of two or more lots or parcels of land the condition of the title to which is not the same, each such lot or tract shall be separately described by courses and distances, in feet and inches, and such lots or parcels shall be delineated or cross-hatched in contrasting colors. If two or more buildings are to be used, the designated name of each shall be indicated, and all pipe lines or other connections, if any, between the same depicted. Where two or more buildings are used for the same purpose the name of each such building shall include an alphabetical designation, beginning with "A," and they shall be so shown on the plat. All first floor doors of each building on the premises will be shown on the plat. Except as provided in § 184.116, all pipe lines leading to or from the premises, the purpose for which used and the points of origin and termination will be indicated on the plat. (Secs. 2816, 3176, I. R. C.)

§ 184.110 *Floor plans.* The plans shall include a floor plan of each floor of each building, showing the general dimensions of the rooms and floors and the location of all doors, windows and other openings and how such openings are protected. All apparatus and equipment, except pipe lines, must be shown in their exact location on the floor plans and their designated use indicated. In the case of stills, tanks and similar equipment, the serial

number and capacity shall also be shown. (Secs. 2816, 3176, I. R. C.)

§ 184.112 *Elevational plans of buildings.* The plans shall also include an exterior, elevational view of each exposure of each building showing the type of security afforded the openings. The number of stories and the height of each story will be indicated on the elevational plans. In lieu of drawings, the distiller may submit a photograph of each exposure of each building in a size not smaller than 7 x 9 inches. The photographs must be in sufficient detail to clearly depict the buildings from the ground to the roof and must be properly identified. Where photographs are submitted, drawings must be furnished to show the security afforded the openings in all rooms required to be locked, such as receiving rooms, brandy deposit rooms, etc. (Secs. 2816, 3176, I. R. C.)

§ 184.113 *Colors for pipe lines.* The pipe lines must be shown on the plans in the colors in which they are required to be painted, as follows:

Black-----	Brandy or other finished spirits.
Blue-----	Vapor, singlings, high wines and low wines, or other unfinished spirits.
Red-----	Fermented mash or wine.
Gray-----	Must or other unfermented material.
Brown-----	Slop.
Yellow-----	Fusel oil.
White-----	Water.
Aluminum-----	Steam.
Orange-----	Air.
Olive green-----	Carbon dioxide gas.

(Secs. 2816, 3176, I. R. C.)

§ 184.117 *Elevational flow diagrams.* Elevational flow diagrams (plans) shall be submitted covering (a) distilling material system, (b) mashing and fermenting systems, (c) distilling system, and (d) the receiving tank system. Such diagrams or plans shall clearly depict all equipment in its relative operating sequence and elevation by floors with all connecting pipe lines, valves, flanges (except as provided in § 184.114), Government locks, measuring devices, etc. The elevation by floors on the diagrams may be indicated by horizontal lines representing floor levels. All the flow diagrams as a unit must show the flow of the distilling material and the resulting products, through the distilling material tanks, fermenters, sumps, stills, doublers, try boxes and other equipment and the deposit and removal of the finished spirits from the receiving tanks and the brandy deposit room, if any. All major equipment, fermenters, stills, etc., must be identified on these plans as to number and use. The elevational flow diagrams must be so drawn that all fixed pipe lines, except those indicated by § 184.116 may be readily traced from beginning to end. Other types of drawings that clearly depict the information required herein may be submitted in compliance with this section. (Secs. 2816, 3176, I. R. C.)

§ 184.118 *Certificate of accuracy.* The plat and plans shall bear a certificate of accuracy in the lower right hand corner of each sheet signed by the distiller,

the draftsman and the district supervisor substantially in the following form:

(Name of distiller)

(Address)
Approved -----
(Date)
Accuracy certified by: -----
(District Supervisor)

(Name and capacity—for the distiller)

(Draftsman)
Fruit Distillery No. -----
19----- Sheet No. -----
(Secs. 2816, 3170, 3176, I. R. C.)

§ 184.119 *Revised plats and plans.* The sheets of revised plats and plans shall bear the same number as the sheets superseded but will be given a new date. Any additional plats and plans shall be given a new number in consecutive order or will be otherwise numbered and lettered in such manner as will permit the filing of the plats and plans in proper sequence. (Secs. 2816, 3176, I. R. C.)

§ 184.123 *Change in proprietorship—*
(a) *Suspension.* * * *

(2) *Registry of stills.* If the business is to be permanently discontinued, file, Form 26, Registry of Stills, in triplicate, in accordance with § 184.391.

* * *
§ 184.128 *Changes in premises—(a) Procedure.* Where the premises of a fruit distiller are to be extended or curtailed, the distiller must file with the district supervisor an amended notice, Form 27½, and an amended plat of the premises as extended or curtailed, except as herein specifically authorized in the case of alternate operations of the bottling department. If the plans are affected by the extension or curtailment, they must also be amended. If the distillery is within 600 feet of a rectifying plant the distiller must also file a special application in accordance with §§ 184.8 and 184.11. The additional premises covered by an extension may not be used for distillery purposes, and the portion of the distillery premises to be excluded by a curtailment may not be used for other than distillery purposes, prior to approval of the notice, Form 27½. Where an internal revenue bonded warehouse containing a bottling-in-bond department is located on the distillery premises, and the documents required by Regulations 6 (26 CFR, Part 188), governing the alternate operation of the bottling house as a bottling-in-bond department and a tax-paid bottling house are filed, and no change in proprietorship is involved, the filing of additional notices, Form 27½, covering changes in the temporary status thereof from time to time will not be required.

(b) *Bond, Form 3-A.* In the case of an extension of the distillery premises, if the value of such premises is increased by the addition of land, buildings, equipment, etc., where an indemnity bond has been filed in lieu of consent of the owner or of any encumbrancer, a new or additional indemnity bond on Form 3-A must be filed in accordance with § 184.67d.

(c) *Consent, Form 1602.* Where the distiller is the owner in fee unencumbered, or has procured the consent of the owner or any encumbrancer, of the premises, and such premises are extended to include additional land, buildings, etc., the distiller, if he is not the owner in fee unencumbered to the extended premises (including buildings, etc.), must procure the consent of the owner or of any encumbrancer of such extended premises, and the buildings, apparatus and equipment thereon, in accordance with § 184.67a, or in lieu thereof, file an indemnity bond on Form 3-A, in accordance with § 184.67d. (Secs. 2812, 2815 (b), 2816, 2819, 2873, 2904, 3170, 3176, 4041, I. R. C.)

§ 184.129 *Changes in construction and use.* Where a change is to be made in the construction of a room or building not involving an extension or curtailment of the distillery premises, or where a change is to be made in the use of any portion of such premises, the distiller shall first secure approval thereof by the district supervisor pursuant to application, in triplicate, setting forth specifically the proposed changes. Upon approval of the application, the changes will be made under the supervision of a Government officer, unless they are of such a nature as, in the opinion of the district supervisor, do not require such supervision. The completed changes will be reflected in the next amended or annual notice, Form 27½, and amended plans filed by the distiller, unless the district supervisor requires the immediate filing of an amended notice and amended plans. (Secs. 2812, 2816, 3170, 3176, I. R. C.)

§ 184.130 *Indemnity bond covering changes in buildings.* If buildings on the distillery premises, or on premises which have been eliminated from the distillery premises, are to be demolished or altered in such a manner as to decrease the value of the property, and a lien for taxes exists on such property under section 2800 (e), I. R. C., the distiller, if (a) the owner of the fee unencumbered, or (b) consents in accordance with § 184.67a are necessary and have been obtained, must file with the district supervisor an indemnity bond, Form 1617, in triplicate, in a penal sum equal to the decrease in the value of the property: *Provided*, That, if such decrease in value is less than \$1,000, no indemnity bond will be required. (Secs. 2800 (e), 3176, I. R. C.)

§ 184.131 *Appraisal.* The amount of the decrease in the value of the property subject to the Government's lien which will be caused by the demolition or alteration of buildings shall be determined by appraisal by two or more competent persons designated by the district supervisor. The appraisers shall render to the district supervisor a report, in duplicate, of their appraisal, which shall include information as to the methods employed by them in determining their valuations. The appraisal shall be at the expense of the distiller, unless made by Government officers. The district supervisor may dispense with the formal appraisal when he

has reason to believe that the value of the property concerned is less than \$1,000. (Secs. 2800 (e), 3176, I. R. C.)

§ 184.133 *Indemnity bond covering removal of equipment.* If distilling apparatus or equipment on which a lien has attached under section 2800 (e), I. R. C., for taxes on spirits produced which have not been tax-paid or withdrawn for a tax-free purpose, is to be removed from the distillery premises without adding property that will become a fixture in law of an equal or greater value than the apparatus or equipment to be removed, (a) where the distiller is the owner of the premises in fee unencumbered, whether the property is realty or personalty, or (b) where consents in accordance with § 184.67a are necessary and have been obtained, whether the property is realty or personalty, the distiller must file with the district supervisor an indemnity bond on Form 1617, in triplicate. Such bond must be in a penal sum equal to the value of the apparatus or equipment to be removed or equal to the excess in value of the apparatus or equipment to be removed over the value of the property to be substituted therefor: *Provided*, That if such value or difference in value, as the case may be, is less than \$1,000, no indemnity bond will be required. The value of the distilling apparatus or equipment to be removed, or the difference between the value of such old apparatus or equipment and the value of the new property to be added will be determined in the manner prescribed in § 184.131. (Secs. 2800 (e), 3176, I. R. C.)

§ 184.134 *Amended notice and plans covering changes in equipment.* Upon completion of changes in equipment which materially affect the accuracy of the Form 27½ or plans, the distiller must file an amended notice and amended plans. Where an amended notice and amended plans are not filed immediately upon completion of minor changes in equipment, such as general repairs, changes in pipe lines, or the addition or removal of a tank, the distiller must include such changes in the next amended or annual notice and amended plans to be filed by him: *Provided*, That, the Commissioner or the district supervisor may, at any time, in his discretion, require the immediate filing of an amended notice and plans covering any change in equipment. (Secs. 2812, 2816, 3170, 3176, I. R. C.)

§ 184.135 *Qualification—(a) Where no bonded warehouse on premises.* * * *

(3) *Registry of stills.* Register the stills on Form 26, in triplicate, in accordance with § 184.391, if not previously registered.

§ 184.139 *Where operation of warehouse on premises is continued—(a) Suspension.* Where an internal revenue bonded warehouse is located on the fruit distillery premises and the fruit distiller desires to continue to operate the warehouse on such premises while the distillery is operated alternately as a fruit distillery and as a registered distillery or industrial alcohol plant, he must, upon suspension of the fruit distillery, comply with the provisions of § 184.138 (a) (3)

and (4), and, in addition thereto, the following requirements:

(b) *Resumption.* Where operation of the plant as a registered distillery or industrial alcohol plant has been suspended and operation thereof as a fruit distillery is to be resumed, the fruit distiller must comply with the provisions of § 184.138 (b) (4a), (5) and (6), and, in addition thereto, the following requirements:

§ 184.140 *Where bonded warehouse is discontinued or eliminated from fruit distillery premises—(a) Suspension.* * * *

(b) *Resumption.* Where operation of the plant as a registered distillery or industrial alcohol plant has been suspended, and operation thereof is to be resumed as a fruit distillery, the fruit distiller must comply with the provisions of § 184.138 (b) (4a), (5) and (6), and, in addition thereto, the following requirements:

§ 184.141 *Special application.* Where a special application for permission to operate a fruit distillery within 600 feet of a rectifying plant is submitted by the distiller, and such special application conforms to the requirements of the regulations in this part, the district supervisor will cause an inspection to be made to determine whether the proposed operation of the distillery within 600 feet of the rectifying plant may be permitted without jeopardy to the revenue. The inspector will ascertain whether the application accurately describes the relative location of the two premises and all pipe lines and other connections, if any, between such premises. The inspector will also observe the surroundings, including all streets, roads and drive ways connecting the two premises, and any condition which might endanger the revenue, and will describe the same in his report. If the district supervisor finds, upon consideration of the inspection report, that the distillery may be operated at the designated location without danger to the revenue, he will note his approval on all copies of the special application. He will then return one copy of the approved application to the applicant, retain the original for his files, and forward the remaining copy, together with a copy of the inspection report, to the Commissioner. Approval of the special application pertains to the location of the distillery only, and does not authorize the operation thereof. The distillery may not be operated until the distiller's bond and other qualifying documents required by law and the regulations in this part have been filed and approved by the Commissioner. If the special application is disapproved, the district supervisor will note his disapproval thereon and will return all copies of such application to the applicant, with advice as to the reason for disapproval. (Secs. 2819, 3170, 3176, I. R. C.)

§ 184.141a *Indemnity bond application.* When an application for permission to file an indemnity bond, Form 3-A, in lieu of the written consent of the

owner of the distillery premises or apparatus or equipment, or of any mortgagee, judgment-creditor, lienor, or other person having an encumbrance thereon, or conditional sales vendor, is submitted by the applicant and such application conforms to the requirements of these regulations, the district supervisor will cause an investigation to be made of the facts upon which the application is based, and will designate two or more competent persons to make an appraisal of the value of the lot or tract of land on which the distillery is situated, the distillery, the buildings, and the distilling apparatus. The appraisal shall be made as provided in § 184.67f. If the district supervisor finds upon consideration of the appraisal and reports of investigation that under the law and regulations an indemnity bond may properly be accepted in lieu of the consent of the owner or lienor and if he is satisfied that the valuation placed upon the distillery property by the appraisers is fair, he will note his approval on all copies of the application. He will then return one copy of the approved application to the applicant and retain the original for his files. He will forward the remaining copy of the application and copies of the reports of investigation and appraisal to the Commissioner at the time of forwarding the indemnity bond. If the application is disapproved, the district supervisor will note his disapproval thereon and will return all copies of such application to the applicant with a statement of the reasons for disapproval. (Secs. 2815 (b), 3170, 3176, I. R. C.)

§ 184.148 *Approval of qualifying documents.* If the district supervisor finds, upon completion of his investigation and examination of the inspection report, that the person seeking to qualify as a fruit distiller is qualified to hold a permit and has complied in all respects with the requirements of law and the regulations in this part, and if the notice, Form 27½, bond, Form 30½, and consent, Form 1602, or indemnity bond, Form 3-A, if any, filed in lieu thereof, may properly be approved, he will note his recommendation for approval on all copies of the notice, distiller's bond and consent or indemnity bond (if any), and his approval on all copies of the plat, plans and other qualifying documents, and will forward all copies of the notice, bond, consent or indemnity bond (if any) and the original copy of the plat, plans and other qualifying documents, together with a copy of all inspection reports, to the Commissioner for final action. The original copy of the application for permit will be forwarded to the Commissioner with such qualifying documents. The issuance of a permit should be withheld pending approval by the Commissioner of the notice, bond and other qualifying documents required under the internal revenue laws. (Sec. 3176, I. R. C.)

§ 184.150 *Disposition of qualifying documents.* Where notice, Form 27½, bond, Form 30½, and consent, Form 1602 (if any), or indemnity bond, Form 3-A, filed in lieu thereof, are approved by the Commissioner, the district supervisor will, upon receipt of approved copies of

such documents from the Commissioner, as provided in § 184.156, forward one copy of the notice, bond, consent or indemnity bond, plat, plans and other qualifying documents and the original copy of the Federal Alcohol Administration Act permit to the distiller and will retain one copy of such qualifying documents for the file of the applicant in his office. If the distiller's bond, consent or indemnity bond is disapproved, the district supervisor will, upon receipt from the Commissioner of the disapproved copies of such documents and other qualifying documents submitted therewith, return all copies of the qualifying documents to the proprietor, with advice as to the reason for disapproval. (Sec. 3176, I. R. C.)

§ 184.153 *Applications and reports covering changes.* Where an application covering changes in the distillery apparatus or equipment, or in the construction or use of a room or building, is approved by the district supervisor, he will retain one copy of the application and forward one copy to the distiller and one copy to the Commissioner, and, when reports covering changes in apparatus and equipment are received from Government officers in accordance with § 184.132, he will retain one copy and promptly forward one copy to the Commissioner. Similar disposition will be made of reports received from the distiller covering emergency repairs of distilling apparatus and equipment. Where changes in buildings, apparatus, or equipment are such as to require the filing of an indemnity bond, the district supervisor may approve the application, if he has recommended approval of the bond, and permit the changes in buildings, apparatus or equipment to proceed pending approval of the bond by the Commissioner. (Sec. 3176, I. R. C.)

§ 184.156 *Qualifying documents.* The Commissioner will review the notice, Form 27½, plat, plans, bond, Form 30½, consent, Form 1602, if any, or indemnity bond, Form 3-A, filed in lieu thereof, and, other qualifying documents, including application for Federal Alcohol Administration Act permit, upon their receipt from the district supervisor. If the Commissioner approved the construction and equipment of the distillery and the notice, plat, plans, distiller's bond, consent or indemnity bond, if any, and other qualifying documents, he will assign a registry number to the fruit distillery in accordance with the provisions of § 184.157, note his approval on all copies of the distiller's bond, consent or indemnity bond, and notice, retain one copy of the distiller's bond, consent or indemnity bond, and notice and all copies of the other qualifying documents, and will return two copies of the approved distiller's bond, consent or indemnity bond, and notice, to the district supervisor with advice as to his action on the qualifying documents. If the Commissioner disapproves the distiller's bond, he will note his disapproval thereon and will return all copies thereof to the district supervisor, accompanied by the other qualifying documents submitted therewith, and a statement of the rea-

sons for disapproval of the bond. (Secs. 2814, 2815 (b), 3170, 3176, I. R. C.)

§ 184.246 *Rate of tax.* The law imposes a tax on distilled spirits produced in or imported into the United States at the rate prescribed therein on each proof gallon or wine gallon when below proof and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon, to be paid when withdrawn from bond. (Secs. 2800 (a), 3176, I. R. C.)

§ 184.391 *Registry on Form 26.* Every person having in his possession or custody or under his control any still or distilling apparatus that is set up, must register the same on Form 26, in triplicate, with the district supervisor for the district in which it is located. Stills to be used for the production of various types of distilled spirits may be registered for "distilled spirits" and the specific type need not be shown. Thereafter, when the plant is changed from the production of one type of spirits to another, reregistration by the same distiller will not be required.

The temporary suspension of a distillery does not necessitate reregistration of the stills. The operation of a distillery by alternating proprietors, where no permanent change in ownership occurs, does not require reregistration of the stills by the proprietors. When there is a change in location or use or a bona fide change in ownership of a still, the still must be registered to reflect the change. The district supervisor will, upon approving the registration of a still on Form 26, retain one copy, forward one copy to the Commissioner and return the remaining copy to the distiller. The distiller will retain his copy at the distillery available for inspection by Government officers. (Secs. 2810, 3170, 3176, I. R. C.)

3. This Treasury decision shall be effective on the 31st day after the date of its publication in the FEDERAL REGISTER.

[F. R. Doc. 48-7283; Filed, Aug. 11, 1948; 8:53 a. m.]

[26 CFR, Part 188]

BOTTLING OF DISTILLED SPIRITS IN BOND

NOTICE OF PROPOSED RULE MAKING

A notice is hereby given, pursuant to the Administrative Procedure Act, approved June 11, 1946, that the regulations set forth in tentative form below are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury. Prior to the final adoption of such regulations, consideration will be given to any data, views or arguments pertaining thereto which are submitted in writing, in duplicate, to the Commissioner of Internal Revenue, Washington 25, D. C., within 30 days from the date of this notice in the FEDERAL REGISTER. The proposed regulations are to be issued under the authority of sections 2829, 2871, 2903, 2904, 3170, 3176 and 4041, Internal Revenue Code (26 U. S. C. 2829, 2871, 2903, 2904, 3170, 3176 and 4041).

[SEAL]

STEWART BERKSHIRE,
Acting Commissioner of
Internal Revenue.

1. Sections 188.18, 188.30, 188.31, 188.32, 188.34, 188.97 and 188.115 of Regulations 6 (26 CFR, Part 188) are amended.

2. These amendments are designed to provide standard graduations for beams of weighing tanks; to simplify requirements relating to the alternate operation of bottling departments of internal revenue bonded warehouses for bottling distilled spirits in bond and bottling distilled spirits after removal from bond; and to facilitate procurement of stamps.

§ 188.18 *Weighing tanks.* Where weighing tanks are used for dumping, reducing, or bottling spirits, such tanks shall be constructed of metal and shall be stationary and of uniform dimensions from top to bottom, and each such tank shall be equipped with a suitable measuring device whereby the contents will be correctly indicated. Each weighing tank shall be mounted on accurate scales and shall have plainly and legibly painted thereon the words "Weighing tank," in addition to its designated use, serial number and capacity in wine gallons in accordance with the provisions of § 188.16 or § 188.17, as the case may be. The beams or dials of weighing tank scales must indicate weight in 5 pound graduations for scales up to and including 25 tons capacity, in 10 pound graduations for scales exceeding 25 tons capacity but not exceeding 60 tons capacity and in 20 pound graduations for scales having a capacity of more than 60 tons. (Secs. 2829, 2903, 2904, 3176, I. R. C.)

§ 188.30 *Basic qualification required.* The bottling-in-bond department of an internal revenue bonded warehouse may be operated alternately for bottling distilled spirits in bond under these regulations and bottling distilled spirits after removal from bond in accordance with Regulations 11 (26 CFR, Part 189). The basic qualification for the establishment of each premises shall be in accordance with applicable provisions of Regulations 10 (26 CFR, Part 185), Regulations 4 and 5 (26 CFR, Parts 183 and 184) where applicable and Regulations 11 (26 CFR, Part 189). Where it is proposed to operate an established bottling-in-bond department temporarily as a tax-paid bottling house, it will be necessary to file (a) qualifying documents curtailing the bonded premises to exclude the bottling department, (b) qualifying documents establishing the tax-paid bottling house and (c) a blanket consent of surety, Form 1533, by the principal and surety extending the terms of bond, Form 1571, to cover the alternate use of the bottling-in-bond department as a tax-paid bottling house. Such blanket consent may be executed in the following form:

To continue in effect the said bond notwithstanding the exclusion of the bottling-in-bond department from time to time for use temporarily as a tax-paid bottling house in accordance with notice, Form 404, filed by the principal.

The basic qualifying documents having once been filed by the proprietor and approved by the Commissioner, the operating status of the bottling department, that is, for bottling in bond or temporarily as tax-paid bottling, shall be ap-

proved by the district supervisor on Form 404 in accordance with § 188.32. (Secs. 2871, 2904, 3170, 3176, 4041, I. R. C.)

§ 188.31 *Approval required before resumption.* When it is desired to resume operations of the bottling-in-bond department following the suspension of operations as a tax-paid bottling house, authority therefor must be obtained from the district supervisor on Form 404 before actual resumption of operations. (Secs. 2903, 2904, 3176, I. R. C.)

§ 188.32 *Procedure—(a) Suspension.* Where the proprietor of an internal revenue bonded warehouse desires to suspend operations of his bottling-in-bond department in order that it may be operated temporarily as a tax-paid bottling house, he must complete the bottling of all spirits and remove such bottled spirits from the bottling-in-bond department and upon suspension of the bottling-in-bond department, comply with the following requirements:

(1) *Notice, Form 404.* File with the district supervisor Form 404, "Bottling-in-Bond Notice," in triplicate, for authority to suspend bottling-in-bond operations and to use the premises temporarily as a tax-paid bottling house. The form shall be executed in accordance with the instructions printed thereon and disposed of in accordance with § 188.38.

(2) *Communicating doors to be closed.* Close and lock, and keep locked, the communicating doors (if any) between the bottling-in-bond department and the storage portion of the warehouse in accordance with § 188.6.

(b) *Resumption.* Where the premises have been operated temporarily as a tax-paid bottling house and the proprietor desires to resume operations thereof as a bottling-in-bond department of the internal revenue bonded warehouse, he must comply with the following requirements:

(1) *Notice, Form 404.* File with the district supervisor Form 404, in triplicate, for authority to suspend tax-paid bottling house operations and resume bottling-in-bond operations. The form shall be executed in accordance with instructions printed thereon and disposed of in accordance with § 188.38.

(2) *Completion of bottling.* Complete all bottling of spirits and remove such spirits from the tax-paid bottling house prior to suspension of operations. (Secs. 2871, 2904, 3170, 3176, 4041, I. R. C.)

§ 188.34 *Procedure applicable.* The provisions of Regulations 10 (26 CFR, Part 185) respecting action by the district supervisor and Commissioner, respectively, in connection with the establishment, and changes subsequent to establishment, of internal revenue bonded warehouses, are applicable to bottling-in-bond departments of such warehouses: *Provided*, That the district supervisor may, upon the filing of the documents required by §§ 188.30 and 188.32, authorize the change from bottling in bond to tax-paid bottling and vice versa. (Secs. 2871, 2904, 3170, 3176, 4041, I. R. C.)

§ 188.97 *Shipment of stamps.* Where the stamps are to be shipped, the collector will forward the stamps to the storekeeper-gauger named on the Form

403 by registered mail or express. The expense of forwarding the stamps will be borne by the proprietor. The collector may furnish the stamps directly to the proprietor for immediate delivery to the storekeeper-gauger in accordance with § 188.96. The storekeeper-gauger will enter on Form 1606 all bottled-in-bond stamps received from the collector. All stamps in the custody of the storekeeper-gauger will be kept by him in the Government cabinet. (Secs. 2903, 2904, 3176, I. R. C.)

§ 188.115 *Supervision required.* All rebottling, relabeling, and restamping of spirits must be conducted in a bottling-in-bond department under the supervision of a storekeeper-gauger: *Provided*, That the district supervisor may authorize the relabeling or restamping of spirits in an internal revenue bonded warehouse not having a bottling-in-bond department where space and facilities for such activities are available. Spirits of two or more distillers, or spirits produced at different distilleries, or produced under two or more trade names by the same distiller, or of different seasons' or years' production or bottling, may not be reconditioned at the same time, and rebottling operations must be conducted at a time when no other spirits are in the process of bottling. (Sec. 3176, I. R. C.)

3. This Treasury decision shall be effective on the 31st day after its publication in the FEDERAL REGISTER.

[F. R. Doc. 48-7282; Filed, Aug. 11, 1948; 8:52 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

[41 CFR, Part 202]

COTTON GARMENT AND ALLIED INDUSTRIES

NOTICE OF HEARING ON AMENDMENT OF PREVAILING MINIMUM WAGE DETERMINATION

Whereas, the Secretary of Labor, in a prevailing minimum wage determination issued pursuant to the provisions of the act of June 30, 1936 (49 Stat. 2036; U. S. C., Title 41, secs. 35-45; otherwise known as the Walsh-Healey Public Contracts Act) and dated July 28, 1937 (41 CFR 202.2), determined that the prevailing minimum wage for persons subject to the provisions of the act when employed in the performance of contracts with agencies of the United States Government for the manufacture of the products of the cotton garment and allied industries was 37½ cents an hour or \$15 for a week of 40 hours, arrived at either upon a time or piecework basis; and

Whereas, said determination was extended under dates of January 19, 1938, April 28, 1938 and February 8, 1941 to include within the definition of the industries certain articles, and was modified under date of June 20, 1942 so as to provide that the prevailing minimum wage was 40 cents an hour (41 CFR, Cum. Supp., 202.2); and

Whereas, the provision for the employment of learners at subminimum rates in the original determination was modified under dates of June 20, 1942, March 20, 1943 and July 30, 1943 (41 CFR, Cum. Supp., Part 202; 41 CFR, 1943 Supp.,

202.2) so as to permit the employment of learners under applicable regulations and amendments thereof issued by the Administrator of the Wage and Hour Division under the Fair Labor Standards Act of 1938 currently in effect on said dates; and

Whereas, pursuant to Article 1102 of Regulations 504 (41 CFR, Cum. Supp., 201.1102), as amended (41 CFR, 1944 Supp. 201.1102), workers whose earning capacity is impaired by age or physical or mental deficiency or injury may, in accordance with the procedure set forth therein, be employed on all contracts subject to minimum wage determinations issued pursuant to the Public Contracts Act at wages lower than the prevailing minimum wage specified in such determinations; and

Whereas, the cotton garment and allied industries are currently defined as those which manufacture or furnish any of the following commodities: Trousers, knickers, work pants, and breeches (except when made wholly of wool and uniform trousers and breeches made wholly or partially of wool); dress or work shirts and nightwear of any material except knit fabric; overalls, overall jackets, and one-piece overall suits; work coats and work jackets (except wool and wool-lined, and leather and sheep-lined); washable service apparel (hospital, professional, etc.); other cotton outerwear of any material except knit fabric; barrack bags; bandoleers; ammunition and cartridge belts made of textiles; canvas leggings; cot covers; fabric pouches and carriers for first aid equipment, such as: kit canteen straps, kit inserts, kit laces, kit pouches and kit suspenders; mattress covers; mosquito bars; and wardrobe bags with drawstrings, made of textiles; and

Whereas, in conformance with past interpretations under this determination and due to change of industry coverage on certain articles, it is proposed to clarify and reword the definition as follows:

The cotton garment and allied industries is defined as that industry which manufactures the following commodities:

A. *Apparel division (men's, women's, children's and infants')*. 1. Trousers, slacks, work pants, knickers and breeches made from any fabric except of all-wool or part-wool content;

2. Dress and work shirts, blouses, and slack suits made from any fabric;

3. Nightwear and lounging garments made from any fabric (except knitted) including nightgowns, pajamas, negligees, housecoats, bed jackets, robes and similar garments.

4. Overalls, coveralls, overall jackets, one-piece overall suits, and similar work clothing;

5. Work and outdoor coats and jackets, except wool and wool-lined and leather and sheep-lined coats and jackets;

6. Washable service apparel, including caps (hospital, professional, nurses', barbers', bakers' and cooks', etc.);

7. Other women's, children's, and infants' outerwear made from cotton fabric (except knitted), but not specified above, including dresses, skirts, suits, coats, jumpers and aprons.

B. *Fabricated textile products division*. Bags with drawstrings and inset bases such as barrack bags, wardrobe bags, and

laundry bags; bandoleers, ammunition belts, and cartridge belts made of textiles; canvas leggings; cot covers, mattress covers, and mosquito bars; and fabric pouches and carriers, and parts thereof, for first aid equipment.

Whereas, the Amalgamated Clothing Workers of America has petitioned for amendment to the current determination which would establish the prevailing minimum wage as 75 cents per hour or \$30 for a week of 40 hours, arrived at on a time or piecework basis.

Now, therefore, notice is hereby given, that a public hearing will be held on September 23, 1948, at 10:00 a. m. in Conference Room "A", Interdepartmental Auditorium, Constitution Avenue between 12th and 14th Streets NW., Washington, D. C., before the Administrator of the Wage and Hour and Public Contracts Divisions or a representative designated to preside in his place, at which hearing all interested persons may appear and offer testimony: (1) As to what is the prevailing minimum wage in the industry; (2) as to whether any amendment should include provision for the employment of learners at a lower rate, and, if so, in what occupations, at what subminimum rates, and with what limitations as to length of the learning period and the number or proportion of learners; and (3) as to the clarification and rewording of the definition.

Any interested person may appear at the hearing to offer evidence, provided that not later than September 16, 1948, such person shall file with the Administrator of the Wage and Hour and Public Contracts Divisions, United States Department of Labor, Fourteenth Street and Constitution Avenue NW., Washington 25, D. C., a notice of intention to appear containing the following information:

1. The name and address of the person appearing;

2. If he is appearing in a representative capacity, the names and addresses of the persons or organizations which he is representing; and

3. The purpose for which he is appearing.

Such notice may be mailed to the Administrator and shall be considered filed upon receipt.

Written statements in lieu of personal appearance may be mailed to the Administrator at any time prior to the date of the hearing, or may be filed with the presiding officer at the hearing. An original and four copies of any such statement must be filed.

The petition of the Amalgamated Clothing Workers of America containing data on current wage rates will be available for distribution on or before the date of the hearing. Copies of this petition may be obtained by any person upon request addressed to the Administrator.

Signed at Washington, D. C., this 5th day of August 1948.

F. GRANVILLE GRIMES, Jr.,
Acting Administrator, Wage and
Hour and Public Contracts
Divisions.

[F. R. Doc. 48-7261; Filed, Aug. 11, 1948;
8:51 a. m.]

FEDERAL SECURITY AGENCY

Public Health Service

[42 CFR, Part 34]

MEDICAL EXAMINATION OF ALIENS

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that the Surgeon General of the Public Health Service, with the approval of the Federal Security Administrator, proposes to amend § 34.4, Title 42, Code of Federal Regulations, to read as follows:

§ 34.4 *Scope of examinations; general; applicants for immigration visas; chest X-ray and blood test.* (a) In performing examinations and re-examinations, medical officers shall give consideration to only those matters which relate to the physical or mental condition of the alien, and shall issue certificates or notifications of a disease or defect as hereinafter provided only if the presence of such disease or defect is clearly established.

(b) Examination of applicants for immigration visas shall in all cases include a chest X-ray for tuberculosis and a blood test for syphilis. In the case of examinations conducted at American consulates where necessary X-ray and laboratory facilities for the making of such tests are not available to the examining medical officer, the applicant may be required to furnish a chest X-ray plate, a reading thereof, and a blood serology in order that the medical examination may be completed. The X-ray plate, the reading thereof, the blood serological report and record of the physical examination shall be placed in a separate envelope and attached to the alien's immigration visa in such a manner as to be readily detached for examination by medical officers at United States ports of entry. However, if no such proofs have been presented and the examination is made in a community where there are no facilities available for the making of such tests, the examining medical officer shall so state upon the physical examination form. In the event that, at the port of entry, no such X-ray plate, reading, and blood serology are found attached to the alien's immigration visa, a medical hold shall be issued pending completion of the examination by the required X-ray and blood test.

Interested persons may present in writing to the Surgeon General of the Public Health Service, Washington 25, D. C., views, data, or arguments relating to the above amendment on or before the 15th day after the publication of this notice in the FEDERAL REGISTER.

Dated: August 9, 1948.

[SEAL] W. P. DEARING,
Acting Surgeon General.

Approved: August 9, 1948.

J. DONALD KINGSLEY,
Acting Federal Security
Administrator.

[F. R. Doc. 48-7296; Filed, Aug. 11, 1948;
9:01 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ARKANSAS

NOTICE FOR FILING OBJECTIONS TO PUBLIC LAND ORDER 510,¹ WITHDRAWING PUBLIC LANDS FOR FLOOD CONTROL PURPOSES

For a period of 30 days from the date of publication of the above entitled order, persons having cause to object to the terms thereof may present their objections to the Secretary of the Interior. Such objections should be in writing, should be addressed to the Secretary of the Interior, and should be filed in duplicate in the Department of the Interior, Washington 25, D. C. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where the proponents of the order can explain its purpose, intent, and extent. Should any objection be filed, whether or not a hearing is held, notice of the determination by the Secretary as to whether the order should be rescinded, modified or let stand will be given to all interested parties of record and the general public.

C. GIRARD DAVIDSON,
Assistant Secretary of the Interior.

AUGUST 4, 1948.

[F. R. Doc. 47-7247; Filed, Aug. 11, 1948;
8:45 a. m.]

CALIFORNIA

NOTICE FOR FILING OBJECTIONS TO PUBLIC LAND ORDER 511,² WITHDRAWING PUBLIC LANDS FOR USE OF THE DEPARTMENT OF THE ARMY FOR MILITARY PURPOSES

For a period of 30 days from the date of publication of the above entitled order, persons having cause to object to the terms thereof may present their objections to the Secretary of the Interior. Such objections should be in writing, should be addressed to the Secretary of the Interior and should be filed in duplicate in the Department of the Interior, Washington 25, D. C. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where the proponents of the order can explain its purpose, intent, and extent. Should any objection be filed, whether or not a hearing is held, notice of the determination by the Secretary as to whether the order should be rescinded, modified or let stand will be

¹ See F. R. Doc. 48-7246, Title 43, Chapter I, Appendix, *supra*.

² See F. R. Doc. 48-7248, Title 43, Chapter I, Appendix, *supra*.

given to all interested parties of record and the general public.

C. GIRARD DAVIDSON,
Assistant Secretary of the Interior.

AUGUST 4, 1948.

[F. R. Doc. 48-7249; Filed, Aug. 11, 1948;
8:45 a. m.]

OREGON

AIR-NAVIGATION SITE WITHDRAWAL NO. 252 ESTABLISHED

By virtue of the authority contained in section 4 of the act of May 24, 1928, 45 Stat. 729 (U. S. C. Title 49, sec. 214), it is ordered as follows:

Subject to valid existing rights, the following-described public land in Oregon is hereby withdrawn from all forms of appropriation under the public land laws and reserved for the use of the Civil Aeronautics Administration, Department of Commerce, in the maintenance of air-navigation facilities, the reservation to be known as Air-Navigation Site Withdrawal No. 252:

WILLAMETTE MERIDIAN

T. 34 S., R. 39 E.,
Sec. 13, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, and
W $\frac{1}{2}$ SE $\frac{1}{4}$.

The area described contains 130 acres. This order shall take precedence over but shall not modify the orders of the Secretary and the Assistant Secretary of the Interior dated April 3, 1935 and October 13, 1947, establishing Oregon Grazing District No. 4 and transferring these and other lands to Oregon Grazing District No. 3, respectively, so far as they affect the above-described land.

It is intended that the public land described herein shall be returned to the administration of the Department of the Interior when it is no longer needed for the purpose of which it is reserved.

C. GIRARD DAVIDSON,
Assistant Secretary of the Interior.

AUGUST 4, 1948.

[F. R. Doc. 48-7250; Filed, Aug. 11, 1948;
8:46 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-895]

MICHIGAN GAS STORAGE CO.

NOTICE OF ORDER DISMISSING APPLICATION FOR LACK OF PROSECUTION

AUGUST 9, 1948.

Notice is hereby given that, on August 5, 1948, the Federal Power Commission issued its order entered August 3, 1948, in the above-designated matter, dismissing application for a certificate of public convenience and necessity for lack of prosecution.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-7266; Filed, Aug. 11, 1948;
8:49 a. m.]

[Docket Nos. G-776, G-810, G-820]

EASTERN INDIANA GAS CO. ET AL.

NOTICE OF FINDINGS AND ORDER ISSUING CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY AND REQUIRING CONNECTIONS OF TRANSPORTATION FACILITIES AND SALE OF NATURAL GAS

AUGUST 9, 1948.

In the matters of Eastern Indiana Gas Company, Docket No. G-776; Summit Gas and Water Company, Inc., Docket No. G-810; Knightstown Natural Gas Company, Inc., Docket No. G-820.

Notice is hereby given that, August 5, 1948, the Federal Power Commission issued its findings and order entered August 3, 1948, issuing certificates of public convenience and necessity and requiring connections of transportation facilities and sale of natural gas in the above-designated matters.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-7265; Filed, Aug. 11, 1948;
8:48 a. m.]

[Docket Nos. G-620, G-1035, G-880, G-1013,
G-1029, G-1023, G-1031]

PANHANDLE EASTERN PIPE LINE CO. ET AL.

NOTICE OF OPINION

AUGUST 9, 1948.

In the matters of Panhandle Eastern Pipe Line Company, Docket Nos. G-620 and G-1035; Texas Eastern Transmission Corporation, Docket No. G-880; City of Grand Rapids, Michigan, et al. vs. Michigan Consolidated Gas Company, et al., Docket No. G-1013; Michigan Public Service Commission, Docket No. G-1029; Panhandle Eastern Pipe Line Company, et al., Docket No. G-1023; New York Public Service Commission, Docket No. G-1031.

Notice is hereby given that, on August 2, 1948, Commissioner Olds filed his opinion, issued August 6, 1948, which was a part of Opinion No. 166 in the above-designated matters.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-7264; Filed, Aug. 11, 1948;
8:48 a. m.]

INTERSTATE COMMERCE COMMISSION

[Rev. S. O. 820]

UNLOADING OF COMMODITIES AT PEORIA, ILL.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 5th day of August A. D. 1948.

It appearing, that 9 cars of various articles at Peoria, Ill., are on hand on the Peoria and Pekin Union Railway Company, for an unreasonable length of time and that this delay in unloading such cars impedes their use; in the opinion of the Commission an emergency exists requiring immediate action: *It is ordered, That:*

(a) *Commodities at Peoria, Ill., be unloaded.* The Peoria and Pekin Union Railway Company, its agents or employees, shall unload immediately the following cars now on hand at Peoria, Ill., consigned to or for Commercial Solvents Company:

Car Initial and No.:	Contents
CRI&P 80451-----	Steel.
PRR 277002-----	Boilers.
CRI&P 1288-----	Steel.
SOU 51094-----	Tanks.
PRR 95503-----	Brick.
NYC 707259-----	Construction material.
NYC 499308-----	Tanks.
NYC 634626-----	Steel.
PRR 474789-----	Electrical machinery.

(b) *Demurrage.* No common carrier by railroad subject to the Interstate Commerce Act shall charge or demand or collect or receive any demurrage or storage charges for the detention under load of any car specified in paragraph (a) of this order, for the detention period commencing at 7:00 a. m., August 7, 1948, and continuing until the actual unloading of said car or cars is completed.

(c) *Provisions suspended.* The operation of any or all rules, regulations or practices, insofar as they conflict with the provisions of this order, is hereby suspended.

(d) *Notice and expiration.* Said carrier shall notify the Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where, and by whom such unloading was performed. Upon receipt of that notice this order shall expire.

It is further ordered, That Service Order No. 820 be, and it is hereby vacated effective 7:00 a. m., August 7, 1948; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(40 Stat. 101, sec. 402; 41 Stat. 476, sec. 4; 54 Stat. 901, 911; 49 U. S. C. 1 (10)-(17), 15 (2))

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 48-7262; Filed, Aug. 11, 1948;
8:48 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 7-824]

DELAWARE, LACKAWANNA AND WESTERN
RAILROAD CO. (LACKAWANNA OF NEW
JERSEY DIVISION)

FINDINGS AND ORDER GRANTING PERMISSION
TO EXTEND UNLISTED TRADING PRIVILEGES

At a regular session of the Securities
and Exchange Commission, held at its

office in the city of Washington, D. C., on
the 6th day of August A. D. 1948.

The New York Curb Exchange has
made application to the Commission pur-
suant to section 12 (f) (3) of the Securi-
ties Exchange Act of 1934 and Rule
X-12F-1 for permission to extend un-
listed trading privileges to The Dela-
ware, Lackawanna and Western Railroad
Company First Mortgage Bonds, Series
A, 4% Fixed Interest, due May 1, 1993,
and the First Mortgage Bonds, Series B,
4% Contingent Interest, due May 1, 1993.

A public hearing having been held
after appropriate notice, the Commis-
sion, being duly advised, makes the fol-
lowing findings:

(1) That the capital stock of The Del-
aware, Lackawanna and Western Rail-
road Company is registered and listed
on the New York Stock Exchange; that
there is available from the registration
statement and periodic reports filed pur-
suant to rules and regulations under the
Securities Exchange Act of 1934 informa-
tion substantially equivalent to that
which would be available if the First
Mortgage Bonds, Series A, 4% Fixed In-
terest, due May 1, 1993 and the First
Mortgage Bonds, Series B, 4% Contingent
Interest, due May 1, 1993, were regis-
tered on a national securities exchange;
that the issuer, its officers and directors,
and every beneficial owner of more than
10 per centum of the First Mortgage
Bonds, Series A, 4% Fixed Interest, due
May 1, 1993 and the First Mortgage
Bonds, Series B, 4% Contingent Interest,
due May 1, 1993, will be subject to duties
substantially equivalent to the duties
which would arise under the Securities
Exchange Act of 1934 if the First Mort-
gage Bonds, Series A, 4% Fixed Interest,
due May 1, 1993 and the First Mortgage
Bonds, Series B, 4% Contingent Interest,
due May 1, 1993, were duly listed and
registered on a national securities ex-
change;

(2) That the geographical area
deemed to constitute the vicinity of the
New York Curb Exchange for the pur-
pose of this application is the States of
Massachusetts, Rhode Island, Connecti-
cut, New York, New Jersey, Pennsylvania
and Ohio; that out of a total of \$7,935,000
principal amount of the Series A Bonds
outstanding, approximately \$6,189,300
principal amount is owned by approxi-
mately 908 holders in the vicinity of the
New York Curb Exchange; that out of
a total of \$2,645,000 principal amount of
the Series B Bonds outstanding, ap-
proximately \$2,063,100 principal amount
is owned by approximately 908 holders
in the vicinity of the New York Curb
Exchange; and that transactions were
effected in \$2,271,000 principal amount
of Series A Bonds and in \$1,219,000 prin-
cipal amount of Series B Bonds in the
vicinity of the New York Curb Exchange
during the period from January 1, 1946
to June 17, 1947;

(3) That sufficient public distribution
of, and sufficient public trading activity
in, these securities exist in the vicinity
of the applicant exchange to render the
extension of unlisted trading privileges
thereto appropriate in the public inter-
est and for the protection of investors; and

(4) That the extension of unlisted
trading privileges on the applicant ex-
change to these securities is otherwise
appropriate in the public interest and
for the protection of investors.

Accordingly it is ordered, Pursuant to
Section 12 (f) (3) of the Securities Ex-
change Act of 1934, that the application
of the New York Curb Exchange for per-
mission to extend unlisted trading privi-
leges to the First Mortgage Bonds, Ser-
ies A, 4% Fixed Interest, due May 1,
1993, and the First Mortgage Bonds, Ser-
ies B, 4% Contingent Interest, due May
1, 1993, of The Delaware, Lackawanna
and Western Railroad Company (Lacka-
wanna of New Jersey Division) be, and
the same is, hereby granted.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 48-7254; Filed, Aug. 11, 1948;
8:46 a. m.]

[File Nos. 54-25, 59-11, 59-17]

UNITED LIGHT AND RAILWAYS CO. ET AL.
ORDER GRANTING APPLICATION AND
PERMITTING DECLARATION TO BECOME
EFFECTIVE

At a regular session of the Securities
and Exchange Commission held at its
office in the city of Washington, D. C.,
on the 5th day of August A. D. 1948.

In the matter of The United Light and
Railways Company, American Light &
Traction Company, et al.; File Nos. 59-
11, 59-17, and 54-25.

American Light & Traction Company
("American Light"), a registered hold-
ing company and a subsidiary of The
United Light and Railways Company,
also a registered holding company, hav-
ing filed an application-declaration, in
accordance with the applicable provi-
sions of the Public Utility Holding Com-
pany Act of 1935 ("act") and the rules
and regulations promulgated thereunder,
with respect to the following transac-
tions:

On December 30, 1947, the Commission
entered an order approving a plan filed
pursuant to the provisions of section 11
(e) of the act by American Light and
The United Light and Railways Com-
pany, which provides, among other
things, that during 1948 American Light
will apply for permission to sell such
shares of The Detroit Edison Company
("Detroit Edison") as may be required
from time to time in connection with its
investment in Michigan-Wisconsin Pipe
Line Company, a subsidiary, and that
during 1948 American Light will dispose
of all of its interest in Detroit Edison.
As a step in the consummation of said
plan, American Light proposes to sell at
competitive bidding, pursuant to the pro-
visions of Rule U-50, 190,000 shares of
the common stock of Detroit Edison.
The application-declaration states that
the proceeds received from the sale of
said stock will be used to purchase com-
mon stock of Michigan-Wisconsin Pipe
Line Company or to reimburse American
Light's treasury for funds heretofore ex-

expended for such purpose. The applicants-declarants request authority to purchase on the New York Stock Exchange and the Detroit Stock Exchange such number of shares of common stock of Detroit Edison within a specified period as may be necessary or appropriate to stabilize the price of such stock.

Said application-declaration also requests that the bidding period provided by Rule U-50 be shortened to five days and that the order with respect to said application-declaration become effective forthwith.

After appropriate notice, a public hearing having been held with respect to the proposed transactions and Allied Chemical & Dye Corporation, a party to the proceedings in connection with the plan, having appeared by counsel; and

Applicants-declarants having requested a severance of the proposed transaction with respect to the sale of the 190,000 shares of the common stock of Detroit Edison from the other transactions proposed in the application-declaration and the entry of an order authorizing said sale and reserving jurisdiction with respect to the other proposed transactions, and counsel for Allied Chemical & Dye Corporation having consented to such a severance and the entry of such an order, and the record with respect to the proposed sale of the Detroit Edison common stock having been closed; and

The Commission finding that no adverse findings are necessary with respect to the proposed sale of the said Detroit Edison stock, and deeming it appropriate in the public interest and in the interest of investors and consumers to grant the request of applicants-declarants for a severance and for the entry of an order authorizing the sale of the said common stock of Detroit Edison and further deeming it appropriate to grant the request of American Light that the bidding period provided by Rule U-50 be shortened to five days and that the order herein become effective forthwith:

It is hereby ordered, That the proposal in the application-declaration with respect to the sale by American Light of 190,000 shares of the common stock of Detroit Edison be, and hereby is, severed from the other transactions proposed in said application-declaration.

It is further ordered, That the application-declaration as it relates to the proposed sale by American Light of 190,000 shares of the common stock of Detroit Edison be, and the same hereby is, granted and permitted to become effective forthwith, subject, however, to the terms and conditions prescribed in Rule U-24 of the general rules and regulations under the act, and subject further to the condition that the sale by American Light of 190,000 shares of the common stock of Detroit Edison shall not be consummated until the results of the competitive bidding have been made a matter of record in these proceedings and a further order entered by this Commission in the light of the record so completed, which order may contain such further terms and conditions as may then be deemed appropriate, jurisdiction being reserved for this purpose.

It is further ordered, That jurisdiction with respect to the issues presented by the proposed use of the proceeds of said sale, and all other issues presented by such application-declaration be, and the same hereby is, reserved.

It is further ordered, That, in accordance with the request of the applicants-declarants, the 10-day period for inviting bids as provided in Rule U-50 be, and hereby is, shortened to a period of not less than five days.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-7255; Filed, Aug. 11, 1948;
8:47 a. m.]

[File No. 70-1890]

INDIANA & MICHIGAN ELECTRIC CO.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C. on the 5th day of August A. D. 1948.

Notice is hereby given that Indiana & Michigan Electric Company ("Indiana"), a subsidiary of American Gas and Electric Company, a registered holding company, has filed an application pursuant to the Public Utility Holding Company Act of 1935. Applicant has designated section 6 of the act and Rules U-42 and U-50 promulgated thereunder as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than August 20, 1948 at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said application which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time thereafter such application as filed or amended, may be granted as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said application which is on file with this Commission for a statement of the transactions therein proposed, which are summarized as follows:

Indiana proposes to issue and sell pursuant to the competitive bidding requirements of Rule U-50, \$25,000,000 principal amount of First Mortgage Bonds, -----% Series, due 1978. The coupon rate and price to the company will be determined by competitive bidding, except that the invitation for bids will specify that the coupon rate shall be in multiples of $\frac{1}{8}$ of 1% and shall not exceed $3\frac{3}{4}$ % and that the price to be paid to the company shall not be less than 100% nor more than $102\frac{3}{4}$ % of the principal amount.

The net proceeds of the sale of such bonds will be applied to the prepayment without premium of \$16,000,000 principal amount of notes payable to banks and the balance of the proceeds remaining after such prepayment will be applied, together with other funds of Indiana, to pay for necessary construction and improvements.

The proposed issue and sale have been submitted for approval to the Public Service Commission of Indiana, the Commission of the State in which Indiana is organized and doing business and to the Michigan Public Service Commission, the Commission of the State in which Indiana is also doing business.

The applicant requests that the Commission's order granting the application be issued on or before August 31, 1948 and become effective immediately upon issuance thereof.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-7252; Filed, Aug. 11, 1948;
8:46 a. m.]

[File No. 70-1892]

WISCONSIN PUBLIC SERVICE CORP.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 5th day of August 1948.

Wisconsin Public Service Corporation ("Wisconsin"), a public utility company and a subsidiary of Standard Gas and Electric Company and Standard Power and Light Corporation, both registered holding companies, having filed an application and an amendment thereto, pursuant to section 6(b) of the Public Utility Holding Company Act of 1935 and Rule U-50 thereunder regarding the following proposed transactions:

Wisconsin proposes to issue \$5,250,000 principal amount of First Mortgage Bonds, Series due August 1, 1978, under the First Mortgage and Deed of Trust, dated January 1, 1941, from Wisconsin to the First Wisconsin Trust Company, as Trustee, as supplemented by a Supplemental Indenture, dated November 1, 1947, and by a Supplemental Indenture to be dated as of August 1, 1948. The new bonds will be sold at competitive bidding pursuant to the requirements of Rule U-50 and the interest rate and redemption prices of the new bonds and the price to be paid to Wisconsin (which shall not be less than 100% and not more than $102\frac{3}{4}$ % of the principal amount thereof), exclusive of accrued interest, shall be determined by the competitive bidding.

Wisconsin proposes to use the proceeds from the sale of the new bonds for construction, for reimbursement of its treasury for expenditures made for such purpose, and for the payment of \$4,600,000 of short-term bank loans made for financing construction expenditures.

Wisconsin having requested that the Commission's order become effective forthwith, and having requested that

the ten-day period for inviting bids as provided in Rule U-50 be shortened to six days; and

Said application having been filed on July 19, 1948, and amended on August 4, 1948, and notice of said filing having been given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for a hearing with respect to said application within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to all the proposed transactions that the requirements of the applicable provisions of the act are satisfied, and that it is not necessary to impose any terms and conditions other than those set forth below; and the Commission deeming it appropriate in the public interest and in the interest of investors and consumers that said application, as amended, be granted and deeming it appropriate to grant the request of Wisconsin that this order become effective upon issuance:

It is ordered, That said application, as amended, be and hereby is granted, and that the proposed transactions may be consummated forthwith, subject to the terms and conditions prescribed in Rule U-24 and subject to the further condition that the proposed issue and sale of bonds shall not be consummated until the results of competitive bidding pursuant to Rule U-50 shall have been made a matter of record herein and a further order shall have been entered with respect thereto, which order may contain such further terms and conditions as may then be deemed appropriate.

It is further ordered, That the ten-day period prescribed by Rule U-50 for the invitation of bids, with respect to the bonds proposed to be sold, may be reduced to a minimum of six days.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-7253; Filed, Aug. 11, 1948;
8:46 a. m.]

[File No. 70-1908]

GENERAL PUBLIC UTILITIES CORP.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 5th day of August 1948.

Notice is hereby given that a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by General Public Utilities Corporation ("GPU"), a registered holding company. Declarant has designated section 12 (b) of the act and Rule U-45 thereunder as applicable to the proposed transaction.

Notice is further given that any interested person may not later than August 24, 1948, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stat-

ing the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said declaration proposed to be controverted, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after August 24, 1948, said declaration as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said declaration which is on file in the office of the Commission for a statement of the transaction therein proposed which is summarized as follows:

GPU proposes to make a cash capital contribution to its utility subsidiary, Jersey Central Power & Light Company ("Jersey Central") of \$1,000,000 which will be employed by Jersey Central for construction purposes. Jersey Central will credit the \$1,000,000 to capital surplus.

Declarant states that no commission, other than this Commission, has jurisdiction over the proposed transaction.

It is requested that the Commission's order permitting the declaration to become effective be issued as soon as possible, and that it shall be effective forthwith.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-7256; Filed, Aug. 11, 1948;
8:47 a. m.]

MARK TWAIN WILSON

SUPPLEMENTAL MEMORANDUM OPINION AND
ORDER DISMISSING PROCEEDINGS

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 6th day of August A. D. 1948.

On July 15, 1948, we issued a Memorandum Opinion in this matter in which we found that respondent, a registered broker and dealer, had failed to file reports of his financial condition as required by Rule X-17A-5. However, for the reasons there stated, we concluded that we would not dispose of the case at that time, but would hold the proceedings open for thirty days in order to give respondent an opportunity either to comply with the rule or to withdraw his registration. — S. E. C. —, Securities Exchange Act Release No. 4125.

Respondent has filed a report of his financial condition as of June 1, 1948, which appears to meet the requirements of the rule. Taking into account the fact of such filing, we are of the opinion that the public interest does not require revocation of registration and that the instant proceedings may be dismissed.

It is therefore ordered that the proceedings under section 15 (b) of the Securities Exchange Act of 1934 to determine whether the registration as a broker and dealer of Mark Twain Wilson should be revoked be, and the same hereby are, dismissed.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-7251; Filed, Aug. 11, 1948;
8:46 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 11493]

WALTER MERKEL

In re: Estate of Walter Merkel, a/k/a Walter Paul Merkel, deceased. File No. D-28-11265; E. T. sec. 15631.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Christian F. Merkel and Frederica C. Merkel, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);
2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof in and to the Estate of Walter Merkel, a/k/a Walter Paul Merkel, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);
3. That such property is in the process of administration by John T. Dempsey, as administrator, acting under the judicial supervision of the Probate Court of the State of Illinois, in and for the County of Cook;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 25, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-7270; Filed, Aug. 11, 1948;
8:50 a. m.]

[Vesting Order 11623]

MICHL STREICHER

In re: Stock owned by Michl Streicher, also known as Micol Streicher and Marie Streicher. F-28-636-D-1, F-28-636-D-2, F-28-636-D-3.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Michl Streicher, also known as Micol Streicher and Marie Streicher, whose last known address is 13b Ursberg

11, Thannhausen Schwab, Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows: Those certain shares of stock described in Exhibit A, attached hereto and by reference made a part hereof, registered in the names of the persons set forth in Exhibit A, presently in the custody of Security-First National Bank of Los Angeles, 880 East Colorado Street, Pasadena, California, together with all declared and unpaid dividends thereon, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United

States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 9, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director,
Office of Alien Property.

EXHIBIT A

Name and address of issuing corporation	Place of incorporation	Type of stock	Number of shares	Certificate Nos.	Registered holder
Standard Oil Co. of California, 225 Bush St., San Francisco, Calif.	Delaware	Common	6	SFC 127767	Michl Streicher.
			9	SFC 65076	Do.
			10	SFC 142849	Do.
Richfield Oil Co. of California, 555 South Flower St., Los Angeles, Calif.	do	do	25	LACO 2393	Do.
			24	LACO 517	Do.
Southern California Edison Co., Ltd., Edison Bldg., Los Angeles, Calif.	California	Preferred	8	AO 98108	Do.
		Common	15	LDO 836	Do.
			10	LDO 27191	Do.
			4	AO 110978	Do.
			2	LDO 12061	Do.
			10	LDO 25631	Do.
Security First National Bank of Los Angeles, 215 West 6th St., Los Angeles, Calif.	do	do	2	028764	Do.
			6	028756	Do.
			12	044455	Do.
			10	046360	Do.

[F. R. Doc. 48-7271; Filed, Aug. 11, 1948; 8:50 a. m.]

[Vesting Order 11672]

EMIL SEIDEL

In re: Stock owned by Emil Seidel. F-28-590-D-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Emil Seidel, whose last known address is Popneck, Schleiner Str. 12, Thur, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: Five and two-tenths (5 $\frac{2}{10}$) shares of \$100.00 par value capital stock of Mt. Vernon Diecasting Corporation, 118 Pearl Street, Mount Vernon, New York, evidenced by certificates numbered 37 for four (4) shares and 242 for one and two-tenths (1 $\frac{2}{10}$) shares, registered in the name of Emil Seidel, together with any and all rights under a recapitalization of stock of December 1946, of the aforesaid Corporation including particularly the right to receive certificates numbered A8 for two hundred sixty (260) shares and A21 for seven hundred eighty (780) shares of \$2.00 par value common capital stock of the aforesaid Mt. Vernon

Diecasting Corporation, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have

the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 19, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 48-7272; Filed, Aug. 11, 1948;
8:51 a. m.]

[Vesting Order 11701]

ELISABETH PAETSCH

In re: Stock and cash owned by Elisabeth Paetsch also known as Elizabeth Paetsch.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Elisabeth Paetsch, also known as Elizabeth Paetsch, whose last known address is Neustadt-Dosse, Spiegelberg, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Seven (7) shares of \$100 par value 7% preferred stock of the United States Steel Corporation, 71 Broadway, New York, New York, a corporation organized under the laws of the State of New Jersey, evidenced by a certificate numbered C677131, registered in the name of Elisabeth Paetsch, which stock is presently evidenced by a certificate numbered 900855, registered in the name of the Alien Property Custodian (Account No. 28-100489), together with all declared and unpaid dividends thereon,

b. Nine (9) shares of \$5 par value common stock of Electric Bond and Share Company, 2 Rector Street, New York, New York, a corporation organized under the laws of the State of New York, evidenced by a certificate numbered N0385124, registered in the name of Elisabeth Paetsch, which shares are presently evidenced by a certificate numbered 592342, registered in the name of the Alien Property Custodian, Washington, D. C., Account No. 28-100489, together with all declared and unpaid dividends thereon,

c. Fifty-three (53) shares of no par value common stock of General Electric Company, General Electric Building, 570 Lexington Avenue and 51st Street, New York, New York, a corporation organized under the laws of the State of New York, evidenced by a certificate numbered N. Y. D787663, registered in the name of Elisabeth Paetsch, which shares are presently evidenced by a certificate numbered N. Y. E539969, registered in the name of the Alien Property Custodian, Account No. 28-100489, together with all declared and unpaid dividends thereon,

d. Nine (9) shares of no par value common stock of Radio Corporation of America, RCA Building, 30 Rockefeller Plaza, New York, New York, a corporation organized under the laws of the State of Delaware, evidenced by a certificate numbered N0560823, registered in the name of Elisabeth Paetsch, which shares are presently evidenced by a certificate numbered 39675, registered in the name of the Alien Property Custodian, (Account No. 28-100489), together with all declared and unpaid dividends thereon,

e. One (1) share of \$50 par value common stock of American Woman's Realty Corporation (successor corporation now known as Henry Hudson Hotel Corporation), 353 West 57th Street, New York, New York, evidenced by a certificate numbered 15180, registered in the name of Elisabeth Paetsch, which interest is presently evidenced by a certificate numbered 7257 for one share of no par value common stock of the American Woman's Realty Company, Inc., registered in the name of the Alien Property Custodian, Account No. 28-100489, together with all declared and unpaid dividends thereon, and

f. Cash in the amount of \$697.07 formerly on deposit with the branch office of the Bank of America National Trust & Savings Association located at 650 South Spring Street, Los Angeles, California, in Trust Account No. SN3114, entitled Elizabeth Paetsch and presently in the

possession of the Attorney General of the United States in Account No. 28-100489.

was paid and delivered, to the Alien Property Custodian by the branch office of the Bank of America National Trust & Savings Association located at 650 South Spring Street, Los Angeles, California, executor of the Estate of Helene Paetsch, deceased, and was accepted by the Alien Property Custodian on February 1, 1945, pursuant to the Trading With the Enemy Act, as amended;

3. That the property described in subparagraph 2 hereof is presently in the possession of the Attorney General of the United States and was property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

This vesting order is issued nunc pro tunc to confirm the vesting of the said property by acceptance as aforesaid.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 22, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 48-7273; Filed, Aug. 11, 1948; 8:51 a. m.]

[Vesting Order 11751]

CARL RIENIETS

In re: Bank account owned by Carl Rieniets. F-28-28356-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Carl Rieniets, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Carl Rieniets, by The San

Francisco Bank, 526 California Street, San Francisco, California, arising out of a General Savings Account, account number 176,433, entitled Carl Rieniets, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 29, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 48-7274; Filed, Aug. 11, 1948; 8:51 a. m.]

[Vesting Order 11752]

YASUHIRO SAKAI

In re: Debts owing to Yasuhiro Sakai. F-39-4717-C-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Yasuhiro Sakai, whose last known address is 523 Marunouchi Building, Tokyo, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows:

a. That certain debt or other obligation owing to Yasuhiro Sakai, by Westinghouse Electric International Co., 40 Wall Street, New York, New York, in the amount of \$835.80, as of February 19, 1946, arising out of bills from May 19, 1941, to September 30, 1941, for patent expenses, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same, and

b. That certain debt or other obligation owing to Yasuhiro Sakai, by West-

inghouse Electric International Co., 40 Wall Street, New York, New York, in the amount of \$971.20, as of February 19, 1946, arising out of retainer fees for April 1, 1941, to December 8, 1941, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 29, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 48-7275; Filed, Aug. 11, 1948;
8:51 a. m.]

[Vesting Order 11754]

SUGAO SOGA

In re: Debt owing to Sugao Soga. F-39-4495-C-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9783, and pursuant to law, after investigation, it is hereby found:

1. That Sugao Soga, whose last known address is 755-756 Marunouchi Building, Tokyo, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to Sugao Soga, by Marks & Clerk, 220 Broadway, New York 7, New York, in the amount of \$822.50, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 29, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 48-7276; Filed, Aug. 11, 1948;
8:51 a. m.]

[Vesting Order 11756]

F. TATSUNO

In re: Bank account owned by F. Tatsuno. F-39-2855-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9783, and pursuant to law, after investigation, it is hereby found:

1. That F. Tatsuno, whose last known address is 2 Chome Ikebukuro, Toshima-Ju, Tokyo, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to F. Tatsuno by The Anglo California National Bank of San Francisco, 1 Sansome Street, San Francisco, California, arising out of a savings account, Account Number 12698, entitled Mr. F. Tatsuno, maintained at the branch office of the aforesaid bank located at 1560 Fillmore Street, San Francisco, California, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 29, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 48-7277; Filed, Aug. 11, 1948;
8:51 a. m.]